

quantity of canned shrimp, and on or about January 17, 1924, from the State of Mississippi into the State of Kentucky, of quantities of canned oysters, which said products were adulterated and misbranded. The shrimp were labeled in part: (Can) "Seafooco Brand Shrimp Wet Pack Packed By Sea Food Co. Biloxi, Miss. \* \* \* Contents 5¼ Ozs. Shrimp." The oysters were labeled in part: (Can) "Seafooco Brand" (or "Konisur Brand") "Cove Oysters Packed By Sea Food Co. Biloxi, Miss." The cans were further labeled "Contents 5 Ozs. Oysters" or "Contents 5 Ounces," as the case might be.

Adulteration of the articles was alleged in the information for the reason that a substance, to wit, water or brine, had been mixed and packed therewith so as to lower and reduce and injuriously affect their quality and strength, and for the further reason that excessive brine or excessive water had been substituted in part for the said articles.

Misbranding was alleged for the reason that the statements, to wit, "Shrimp," "Contents 5¼ Ozs.," "Oysters," "Contents 5 Ozs.," and "Contents 5 Ounces," borne on the respective labels, were false and misleading, in that the said statements represented that the articles consisted wholly of shrimp, or oysters, as the case might be, and that the cans contained the amount of the article declared on the label, and for the further reason that they were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they consisted wholly of shrimp, or oysters, as the case might be, and that the cans contained the amount declared on the label, whereas the said articles consisted in part of excessive water or brine, and the cans contained less than declared on the label. Misbranding was alleged for the further reason that the articles were food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 8, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$150.

W. M. JARDINE, *Secretary of Agriculture.*

**14678. Misbranding of Tex Bailey's Nu-Life. U. S. v. 11-11/12 Dozen Bottles of Tex Bailey's Nu-Life. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21145. S. No. E-5744.)**

On June 22, 1926, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11½ dozen bottles of Tex Bailey's Nu-Life, shipped March 24, 1926, and remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Tex Bailey Corp., Troy, N. Y., and transported from the State of New York into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted essentially of water, Epsom salt, iron chloride, salicylic acid, saccharin, extracts of plant drugs including capsicum and senna, and was flavored with volatile oil including sassafras oil.

Misbranding of the article was alleged in the libel for the reason that the following statements regarding its curative and therapeutic effects were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label) "Nu-Life \* \* \* Remedy \* \* \* for Stomach, Liver, Kidneys And Blood," (carton) "Nu-Life \* \* \* Remedy \* \* \* for the Stomach, Liver, Kidneys And Blood \* \* \* Rheumatism \* \* \* Beneficial for Rheumatism, Neuralgia, Chills, Fever, Ague, La Grippe, Catarrh, Asthma, Skin Eruptions, Pimples, Boils, Eczema, Scrofulous Humors, Scald Head, Syphilitic Humors, Erysipelas \* \* \* Bloating of the Stomach, Dizziness, Faintness, Nervous Headache, Female Weakness, Pains in the Back \* \* \* Billiousness and any Bowel or Kidney Trouble \* \* \* found Beneficial for the Stomach, Liver, Kidneys And Blood \* \* \* And Rheumatism \* \* \* Relieves By Exterminating Microbes And Germs, And Imparting To The Blood Those Necessary Properties Which Drive Away Taints Of Impurity," (form letter in package) "People that take our Nu-Life remedy \* \* \* like to tell their fellow men what this grand medicine has done for them, so they too can receive the same benefit \* \* \* the wonderful things that Nu-life has done and is doing for humanity," (circular) "Nu-Life \* \* \* A \* \* \* Blood Purifier The Stomach \* \* \* Nu-Life remedy can be used for stomach troubles. The Intestines Bowels \* \* \* Nu-Life Remedy \* \* \* relieving \* \* \* bowel troubles. The Liver and Kidneys \* \* \* for disease of the Liver and Kidneys try Nu-Life. Blood and Skin Diseases Contagious

Blood Diseases, whether inherited or contracted, are a most dangerous menace to the health of a person. Not only do they make one unsightly by making their appearance in the form of Eruptions, Pimples, Scald Head or Syphilitic Humors, but they gradually undermine the health, seriously affecting the brain and nervous system. Nu-Life Remedy has helped many who have had blood troubles. Do You Suffer With Rheumatism? \* \* \* Whether the disease be Chronic, Inflammatory or Gonorrhoea Rheumatism, there is no remedy like Nu-Life Remedy \* \* \* Have You Dyspepsia? try Nu-Life Remedy. For all disorders of the Stomach, Liver and Bowels; for Indigestion, Dyspepsia, Costiveness, Diarrhoea, Intermittent and other Malarial Fevers \* \* \* Did you ever have a kink in your back? Do you find it difficult to bend over? Do you experience excruciating pains in the small of your back when rising from a chair or changing from one position to another? Were the kidneys strong and healthy instead of being weak, this form of backache would be unknown. \* \* \* Dirt Inside The Body Causes Sickness \* \* \* By 'Dirt' we mean any impurity. When your stomach is dirty \* \* \* When the bowels are dirty \* \* \* When the kidneys are dirty \* \* \* When the nasal passages are dirty \* \* \* If the internal ear is dirty \* \* \* In women, when the organs peculiar to them are dirty \* \* \* these things are accompanied by foul smelling odors which indicate more clearly than anything else that some part of the body is dirty. That is, it is unclean. It is clogged up with impurities. It must be rid of these impurities and poisons which we call dirt, before it can get well. Use Nu-Life to get rid of bodily dirt. \* \* \* Nu-Life cleans out impurities. \* \* \* has been proven to be able to clean the system and restore it," (Polish) "Rheumatism, Grippe \* \* \* Scrofulous eczema, syphilis, erysipelas, indigestion, dyspepsia."

On August 30, 1926, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**14679. Adulteration and misbranding of butter. U. S. v. 50 Cartons, et al., of Butter. Decrees of condemnation and forfeiture. Product released under bond.** (F. & D. No. 21277, 21278. I. S. Nos. 2274-x, 2284-x. S. Nos. C-5209, C-5223.)

On August 10 and 16, 1926, respectively, the United States attorney for the Northern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 100 fiber-board cartons of butter, remaining in the original unbroken packages at Cleveland, Ohio, alleging that the article had been shipped by the Harrow-Taylor Butter Co., Kansas City, Mo., in part on or about July 26, 1926, and in part on or about August 5, 1926, and transported from the State of Missouri into the State of Ohio, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Creamery Butter."

Adulteration of the article was alleged in the libels for the reason that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923.

Misbranding was alleged for the reason that the statement "Butter," borne on the label, was false and misleading, in that the said statement represented that the article consisted wholly of butter, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of butter, whereas it did not so consist but did consist of a product deficient in milk fat. Misbranding was alleged for the further reason that the statement "Butter," borne on the label, was false and misleading, in that it represented that the article was butter, to wit, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by law, whereas the said article contained less than 80 per cent by weight of milk fat.

On August 30, 1926, the Harrow-Taylor Butter Co., Kansas City, Mo., having appeared as claimant for the property and having admitted the allegations of the libels, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the total sum of \$1,000, conditioned in part that it be reworked so that it would meet the requirements of the law defining and providing a standard for butter.

W. M. JARDINE, *Secretary of Agriculture.*