

in part: (Can) "Summer Brand Golden Sweet Corn * * * New Hartford Canning Co. New Hartford, N. Y."

It was alleged in substance in the libel that the article was adulterated, in that a substance, saccharin, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, the effect of which was to substitute, wholly or in part, corn of an inferior grade and quality, and damage and destroy its usefulness as food; and in that saccharin had been mixed with the article in such manner as to damage the same and conceal inferiority, as a result of which the said corn had been rendered injurious to health.

On December 20, 1926, the New Hartford Canning Co., Ltd., New Hartford, claimant, having admitted the material allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was 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 a bond in the sum of \$1,700, conditioned in part that it not be transported in interstate commerce except for the purpose of being returned to the manufacturing establishment of claimant, and not be sold or otherwise disposed of contrary to the Federal food and drugs act, or the laws of any State, Territory, District, or insular possession of the United States which prohibit the use of saccharin in like products for human consumption.

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

14818. Misbranding of potatoes. U. S. v. 353 Sacks, et al., of Potatoes. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21446, 21455, 21456. I. S. Nos. 603-x, 12644-x, 12645-x. S. Nos. W-2053, W-2055, W-2056.)

On December 8, 15, and 16, 1926, respectively, the United States attorney for the Northern District of California, 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 1,043 sacks of potatoes, remaining in the original unbroken packages at Stockton, Calif., alleging that the article had been shipped by the Frawley-Clark Co., in part from Woodland, Wash., and in part from Vancouver, Wash., in various consignments on the respective dates of November 2 and December 1, 1926, and transported from the State of Washington into the State of California, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Blue Diamond Brand F C Co., Northern Grown U. S. No. 1 Burbanks Frawley-Clark Co., Inc., Portland, Ore."

It was alleged in the libel that the article was misbranded, in that the statement "U. S. No. 1," borne on the label, was false and misleading and deceived and misled the purchaser.

On December 18, 1926, the Frawley-Clark Co., Inc., Portland, Oreg., having appeared as claimant for the property and having consented to the entry of a decree, 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 totaling \$1,900, conditioned in part that it be made to conform with the provisions of the law under the direction of this department.

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

14819. Adulteration and misbranding of butter. U. S. v. 8 Cases of Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 17574. I. S. No. 2233-v. S. No. E-4417.)

On June 23, 1923, the United States attorney for the Western District of New York, 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 8 cases of butter, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped from Union City, Ind., June 7, 1923, and transported from the State of Indiana into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Pure Creamery Butter."

Adulteration of the article was alleged in substance in the libel for the reason that a substance deficient in milk fat and high in moisture had been mixed and packed with and substituted wholly or in part for the said article, for the further reason that excessive water had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and

strength and had been substituted in part for the said article, and for the further reason that a valuable constituent, butterfat, had been abstracted.

Misbranding was alleged for the reason that the statement "Pure Creamery Butter," borne on the label, was false and misleading and deceived and misled the purchaser.

On September 22, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture 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.*

14820. Adulteration and misbranding of chocolate coating. U. S. v. 5 Cases of Chocolate Coating. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 17571. I. S. No. 2228-v. S. No. E-4412.)

On June 23, 1923, the United States attorney for the Western District of New York, 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 5 cases of chocolate coating, remaining in the original unbroken packages at Buffalo, N. Y., consigned by the Handy Chocolate Co., Springfield, Mass., alleging that the article had been shipped from Springfield, Mass., on or about April 28, 1923, and transported from the State of Massachusetts into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Handy's New Light Chocolate Coating Springfield, Mass. U. S. A."

Adulteration of the article was alleged in the libel for the reason that a substance containing excessive shells and added mineral matter had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "Chocolate Coating," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that it was an imitation of and offered for sale under the distinctive name of another article.

On November 9, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture 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.*

14821. Misbranding of Kopp's. U. S. v. 49 Bottles, et al., of Kopp's. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 20476, 20477. S. Nos. E-5502, E-5503.)

On October 9, 1925, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 535 half-ounce bottles, 579 one and one-half-ounce bottles, and 112 four-ounce bottles, of Kopp's, at Buffalo, N. Y., alleging that the article had been shipped by the Kopp's Baby's Friend Co., York, Pa., in various consignments, June 7, 1924, and February 4 and May 13, 1925, respectively, and transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Circular) "Teething This is usually a trying and critical experience in baby's career. The swollen and congested gums are very painful and if this pain continues it causes extreme nervousness, the child becomes restless and fretful, there is indigestion which causes either diarrhoea or constipation, vomiting, in many cases, high fever and sometimes convulsions. A Teething Baby is a Nervous Baby and is more likely to contract Colds, Diarrhoea, Cholera Infantum, Whooping Cough, and other baby ailments, and is less able to withstand them. In fact, many a case of illness in an infant that in itself could be controlled, when complicated with Teething, becomes a very grave affair. It is therefore very important that teething be made as painless as possible * * * Kopp's is manufactured by The Kopp's Baby's Friend Co. Successors to Mrs. J. A. Kopp," (French) "During dentition use this remedy regularly morning and evening," (German) "In the coming of the teeth it should be taken regularly morning and evening," (Spanish) "During dentition it should be used regularly night and morning," (Italian) "During dentition it is to be given to the little ones once morning and evening regularly," (bottle label) "for child 1 week old * * * Dose to be repeated in 2 or 3 hours if necessary to relieve pain * * * Kopp's Alcohol About 8½ Per Cent Sulphate of Morphine ¼ Grain Per Ounce, Besides