

culture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 21 $\frac{5}{8}$ dozen bottles of Zendejas medicine, at New York, N. Y., alleging that the article had been shipped from Los Angeles, Calif., in part by P. Zendejas, January 11, 1927, and in part by the Zendejas Products Co., February 7, 1927, and that it had been transported from the State of California into the State of New York, and charging misbranding in violation of the food and drugs act as amended. The labels on the cartons and bottles containing the article, and the accompanying circulars, bore statements regarding its curative and therapeutic effects.

Analysis of a sample of the article by this department showed that it consisted essentially of potassium iodide, extracts of plant drugs, including sarsaparilla and a laxative drug, and water, with a trace of formaldehyde.

It was alleged in substance in the libels that the article was misbranded, in that certain statements regarding the curative and therapeutic effects of the article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 30, 1927, the Zendejas Products Co., Los Angeles, Calif., having appeared as claimant for 12 dozen bottles of the product seized under one of the above libels, and having admitted the allegations of the said libel and 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 claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, conditioned in part that it be relabeled under the supervision of this department, and be disposed of only in compliance with the law. On February 21, 1927, no claimant appearing for the 31 bottles of the product seized under the other libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the said 31 bottles of the product be destroyed by the United States marshal.

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

15027. Adulteration of frozen mixed eggs. U. S. v. 94 Cans of Frozen Mixed Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21809. I. S. No. 2299-x. S. No. C-5443.)

On or about April 9, 1927, the United States attorney for the Western District of Tennessee, 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 94 cans of frozen mixed eggs, at Memphis, Tenn., alleging that the article had been shipped by the Armour Creameries from Springfield, Mo., on or about January 4, 1927, and transported from the State of Missouri into the State of Tennessee, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On April 15, 1927, Morris & Co. having appeared as claimant for the property, and having admitted the allegations of the libel, 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 \$500, conditioned in part that it be salvaged under the supervision of this department.

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

15028. Adulteration of prunes. U. S. v. 530 Boxes, et al., of Prunes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21666. I. S. Nos. 14972-x, 14973-x. S. No. E-5995.)

On March 1, 1927, the United States attorney for the Southern 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 3,777 boxes of prunes, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by M. D. Hopper, from Hanford, Calif., in various consignments, on or about December 30 and 31, 1926, and January 3, 1927, respectively, and transported from the State of California into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Lucerne Brand French Prunes, M. D. Hopper, Hanford, Calif."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On April 16, 1927, the time of the claimants to file answer having expired, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal, and that the claimants pay the costs of the proceedings.

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

15029. Adulteration of oysters. U. S. v. Booth Fisheries Co. Plea of guilty. Fine, \$5 and costs. (F. & D. No. 21579. I. S. Nos. 7381-x, 7382-x.)

On March 30, 1927, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Booth Fisheries Co., a corporation, trading at Baltimore, Md., alleging shipment by said company in violation of the food and drugs act on or about October 26, 1926, from the State of Maryland into the State of Pennsylvania, of quantities of oysters which were adulterated. The article was labeled in part: "Fresh Famous Booth Sea Foods Oysters * * * Chicago, Ill."

It was alleged in the information that the article was adulterated, in that a substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for oysters, which the said article purported to be.

On April 7, 1927, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$5 and costs.

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

15030. Adulteration of chestnuts. U. S. v. 11 Boxes of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21525. I. S. No. 16009-x. S. No. E-5931.)

On or about January 19, 1927, the United States attorney for the District of Connecticut, 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 11 boxes of chestnuts, remaining in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped by De Rosa Bros., Brooklyn, N. Y., on or about December 4, 1926, and transported from the State of New York into the State of Connecticut, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On February 18, 1927, 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.*

15031. Adulteration of apples. U. S. v. 756 Boxes of Apples. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21344. I. S. No. 5785-x. S. No. E-5887.)

On October 26, 1926, the United States attorney for the Western District of Pennsylvania, 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 756 boxes of apples, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by A. L. Pettigrew, from Neppel, Wash., on or about October 9, 1926, and transported from the State of Washington into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Northwest Brand Apples Fancy Delicious A. L. Pettigrew Grower."

It was alleged in the libel that the article was adulterated, in that it contained an added poisonous ingredient, arsenic trioxide, which might have rendered it injurious to health.

On October 30, 1926, Gwin, White & Prince, Inc., Pittsburgh, Pa., claimant, having admitted the allegations of the libel and consented to the condemnation and forfeiture of the product, a decree was entered, ordering that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$3,000, conditioned in part that it not be disposed of in violation of law, and it was further ordered that the product be reconditioned under the supervision of this department and not be sold until inspected and passed by a representative of this department.

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