

**16011. Adulteration of frozen poultry and frozen chickens. U. S. v. 1 Barrel of Frozen Poultry, et al. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 22901, 22902, 22903, 22904, 22931. I. S. Nos. 02808, 02809, 02810, 02811, 02817. S. Nos. 968, 969, 970, 971, 997.)

On July 23 and July 31, 1928, respectively, the United States attorney for the District of Massachusetts, 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 2 barrels of frozen poultry and 13 barrels of frozen chickens, remaining in the original unbroken packages at Springfield, Mass., consigned between the dates of June 12 and July 16, 1928, alleging that the article had been shipped by Swift & Co., in interstate commerce, in various consignments, from Chillicothe, Mo., Des Moines, Iowa, Newton, Iowa, and Ottumwa, Iowa, respectively, into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance, in that it consisted in part of an animal unfit for food, and in that it was the product of a diseased animal.

On September 26, 1928, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16012. Misbranding of An-A-Cin. U. S. v. 20 Cartons of An-A-Cin. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 22829. S. No. 882.)

On June 19, 1928, 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 20 cartons of An-A-Cin, remaining in the original unbroken packages at Boston, Mass., consigned on or about May 23, 1928, alleging that the article had been shipped by McNally Bros., Brooklyn, 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 of a sample of the article by this department showed that it consisted essentially of acetphenetidin (3 grains per tablet), quinine, acetylsalicylic acid, caffeine, and starch.

It was alleged in the libel that the article was misbranded in that the packages containing the said article failed to bear a statement on the label of the quantity or proportion of acetphenetidin, a derivative of acetanilide, since, although the statement "Acetphenetidin (acetanilide derivative) 3 gr. per table" appeared on the label, it was inconspicuously placed thereon and was in exceedingly small type. Misbranding was alleged for the further reason that the following 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: (Tin container) "Usual adult dose for headache, toothache, earache, neuritis, neuralgia, colds, rheumatism \* \* \* and periodical pains, 1 or 2 tablets first followed by 1 tablet each hour or each two hours as required. Sore throat—Dissolve 1 tablet in wineglass of water and gargle. Usual child's dose: Age 4-7 years, one-fourth adult dose; age 8-12 years, one-half adult dose;" (circular) "\* \* \* without any fear of depressing the heart \* \* \*. It has no depressing action on the heart and can, therefore, be safely administered to children and invalids. \* \* \* without any untoward or ill after-effects or reaction \* \* \*. One of the principal uses of Anacin is for the relief of pain in conditions as headache, the neuralgias, rheumatism, etc. In such conditions one or two tablets should be taken with a little water first and then one tablet every hour until relief is experienced. In such conditions as influenza, common colds, la grippe, Anacin has an antifebrifuge action which means that it will reduce the fever and relieve the symptoms. In the early stages of a cold the administration of Anacin will help to abort the cold and prevent it from developing into something more serious. In such conditions two tablets should be taken with water at the first evidence of the ailment, followed by one tablet every hour until relief is secured."

On September 26, 1928, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16013. Adulteration and misbranding of blueberries. U. S. v. 4 Crates of Blueberries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23081. I. S. No. 02474. S. No. 1106.)**

On August 16, 1928, 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 4 crates of blueberries, remaining in the original unbroken packages at Boston, Mass., consigned about August 14, 1928, alleging that the article had been shipped by Charles Helin, from Rockland, Me., and transported from the State of Maine into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act as amended.

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.

Misbranding was alleged for the reason that three of the said crates failed to bear a statement of the net weight or volume of the contents.

On September 26, 1928, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16014. Adulteration and misbranding of ground cumin seed. U. S. v. 2 Barrels of Ground Cumin Seed. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22963. S. No. 1032.)**

On August 7, 1928, 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 a libel praying seizure and condemnation of 2 barrels of ground cumin seed, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Van Camp Packing Co., from Indianapolis, Ind., on or about July 19, 1928, and transported from the State of Indiana into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance, dirt, had been substituted in part for the said article, and had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality.

Misbranding was alleged for the reason that the designation "Pure Ground Cumin Seed," borne on the libel, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On October 26, 1928, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16015. Adulteration of canned cherries. U. S. v. 104 Cases of Canned Cherries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23089. I. S. No. 03165. S. No. 1134.)**

On September 19, 1928, the United States attorney for the Eastern 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 104 cases of canned cherries, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Ray-Maling Co. (Inc.), Hillsboro, Oreg., alleging that the article had been shipped from Hillsboro, Oreg., on or about December 30, 1926, and transported from the State of Oregon into the State of Pennsylvania, 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, putrid, or decomposed vegetable substance.

On October 22, 1928, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*