

your Health Coffee with this poisoning element eliminated * * * there can be no such reaction on the digestive process.' * * * Health Coffee * * * which weakest stomachs can retain * * * for the toxic properties are practically eliminated * * * And since the tannic acid is almost entirely eliminated, there will be no indigestion and other distressing results after drinking it. Also the reduction of caffeine means that you'll suffer no nervousness or sleeplessness, whether you drink it late or early. * * * the principal one being that since the tannic acid is removed from the coffee * * * there will be no indigestion nor other accompanying distress after drinking Blanke's Health Coffee * * * Another reason is that your heart action and blood-pressure will not be increased, since the caffeine in the coffee * * * have been largely removed. With these harmful elements removed, however, * * * Health Coffee * * * does not have any tannic acid in it because it does not affect my stomach. And it does not interfere with my sleeping and no matter when I drink it. * * * Because of the harmful tannic acid in caffeine in ordinary coffee my children have been cautioned at school never to drink it. We mothers, too, have realized that the youthful nervous system is jangled out of tune by the caffeine in ordinary coffee and that youthful stomachs are very often seriously affected by the tannic acid. With Blanke's Health Coffee, from which practically all tannic acid has been eliminated and the caffeine considerably reduced, I can give my children coffee at every meal and as much as they want without fear of ill effect." It was further alleged in the libel that the article was misbranded in violation of section 8, paragraph 3, under drugs in that the following statements, regarding the curative and therapeutic effects of the article, appearing in the labeling were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Labels) "Health Coffee;" (circulars) "If you are interested in your own Health—and want to remain healthy * * * Health Coffee [various places] * * * but also very much more healthful * * * Blanke's Refined Health Coffee is indicated in various nervous disorders, and as a palliative is quickly apparent in light, nervous headaches, and even in sick headaches not caused by the presence of offending matter in the stomach. * * * I know they helped you make a speedy recovery and now that you have your good health again * * * Last but not least is the Health feature. This is of value to every person but to some persons who find regular coffee * * * harmful this one feature—Health—is invaluable. * * * they are Healthful."

On July 9, 1930, no plea or answer having been filed, a decree was entered adjudging the product misbranded, and it was ordered by the court that the said product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17446. Adulteration of canned tuna fish. U. S. v. 7 Cases and 100 Cases of Canned Tuna. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24433. I. S. Nos. 029779, 029780. S. No. 2689.)

Samples of canned tuna fish from the shipment described herein having been found to contain decomposed fish, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Iowa.

On January 14, 1930, the United States attorney filed in the District Court of the United States for said district a libel praying seizure and condemnation of 107 cases of canned tuna, remaining in the original packages at Burlington, Iowa, alleging that the article had been shipped by the Coast Fishing Co., from Wilmington, Calif., on or about December 7, 1929, and had been transported in interstate commerce from the State of California into the State of Iowa, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled in part: (Can) "Mermaid Supreme White Tuna meat * * * Packed by Coast Fishing Co. Wilmington, Calif." The remainder of the said article was labeled in part: (Can) "Coast Brand California Tuna * * * All Light Meat * * * Packers Coast Fishing Co. Wilmington, 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 animal substance.

On April 23, 1930, the Coast Fishing Co., Wilmington, Calif., having appeared as claimant for the property and having consented to the entry of a decree,

judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it should not be sold or disposed of until it had been reconditioned in a manner satisfactory to this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17447. Adulteration and misbranding of mill feed. U. S. v. 229 Bags of Master Mill Feed. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24508. I. S. No. 014780. S. No. 2805.)

Samples of a stock feed from the herein described shipment having been found to contain less protein than declared on the label, the Secretary of Agriculture reported the facts to the United States attorney for the Middle District of North Carolina.

On February 21, 1930, the United States attorney filed in the District Court of the United States for said district a libel praying seizure and condemnation of 229 bags of mill feed, remaining in the original unbroken packages at Elkin, N. C., alleging that the article had been shipped by the Roanoke City Mills (Inc.), from Roanoke, Va., on or about January 6, 1930, and transported from the State of Virginia into the State of North Carolina, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Tag) "Master Mill Feed Average Analysis: Protein 15.02 Per Cent * * * Manufactured and Guaranteed by Roanoke City Mills, Inc., Roanoke, Virginia.

It was alleged in the libel that the article was adulterated in that a substance deficient in protein and containing excessive fiber had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the label bore the statement "Protein 15.02 Per Cent," which was false and misleading and deceived and misled the purchaser.

On April 19, 1930, the Roanoke City Mills (Inc.), Roanoke, Va., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant to be relabeled to show the true protein content, upon payment of costs and the execution of a bond in the sum of \$400, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17448. Adulteration of tomato paste and tomato sauce. U. S. v. 52 Boxes of Tomato Paste, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24279. I. S. Nos. 017088, 017089. S. No. 2518.)

Samples of tomato paste and tomato sauce from the herein described interstate shipment having been found to be made from a product containing decomposed material, the Secretary of Agriculture reported the facts to the United States attorney for the Northern District of West Virginia.

On November 26, 1929, the said United States attorney filed in the District Court of the United States for said district a libel praying seizure and condemnation of 52 boxes, each containing 100 cans of tomato paste, and 44 boxes, each containing 100 cans of tomato sauce, alleging that the articles had been shipped by F. Romeo & Co. (Inc.), from Dover, Del., on or about October 29, 1929, in interstate commerce into the State of West Virginia, that they remained in the original packages at Wheeling, W. Va., and that they were adulterated in violation of the food and drugs act. The articles were labeled in part: "Panicola Brand Tomato Paste * * * Salsa di Pomodoro, Color Added, Panicola Brand [cut of ripe, red tomatoes];" and "Giulietta Brand Tomato Sauce * * * Naples Style, Giulietta Brand Salsa di Pomodoro, Uso Napoli * * * Giulietta Packing Co. Made in U. S. A."

It was alleged in the libel that the articles were adulterated in that they consisted in whole or in part of filthy, decomposed, or putrid vegetable substances.

On May 9, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*