

article that could be used the same as any [other] egg in any recipe which calls for a whole egg, to wit, a mixture composed in part of cornstarch and artificially colored so as to simulate the appearance of a product composed in part of eggs, in a manner whereby its inferiority to a product composed in part of eggs was concealed.

On October 21, 1919, a plea of guilty to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$25 and costs. The second count of the information was dismissed.

E. D. BALL, *Acting Secretary of Agriculture.*

7765. Adulteration and misbranding of gelatin. U. S. * * * v. 10 Barrels of Gelatin. Tried to the court. Judgment for the Government. Decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10034. I. S. No. 6961-r. S. No. C-1157.)

On April 14, 1919, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 barrels of gelatin, consigned by the W. B. Wood Mfg. Co., St. Louis, Mo., remaining unsold in the original unbroken packages at Enid, Okla., alleging that the article had been shipped on or about September 27, 1918, and transported from the State of Missouri into the State of Oklahoma, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that each barrel contained a food product, and that the food product contained certain substances, to wit, copper and zinc, which had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength. Further adulteration was alleged in that excessive zinc had been substituted in whole or in part for the article, to wit, gelatin. Further adulteration was alleged in that the article was a food product and contained added poisonous and deleterious ingredients, to wit, copper and zinc, which might render said food product injurious to health.

Misbranding of the article was alleged in the libel in that the article was an imitation of, and was offered for sale and was sold under the distinctive name of, another article, to wit, gelatin.

On May 18, 1920, the W. B. Wood Mfg. Co., St. Louis, Mo., and the Enid Ice & Fuel Co. having filed separate answers, the case was tried to the court, and a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, conditioned in part that the product be sold only for use in mechanical trades as glue.

E. D. BALL, *Acting Secretary of Agriculture.*

7766. Adulteration of tomato sauce. U. S. * * * v. 112 Cases of Mt. Etna Brand Tomato Sauce. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11885. I. S. No. 15191-r. S. No. E-1929.)

On January 14, 1920, 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 for the seizure and condemnation of 112 cases of Mt. Etna Brand tomato sauce, remaining unsold in the original unbroken packages at Philadelphia, Pa., consigned by Thomas Page, Albion, N. Y., alleging that the article had been shipped on or about October 3, 1919, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that the said article consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On February 3, 1920, no claimant having appeared, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7767. Misbranding of Texas Wonder. U. S. * * * v. 143 Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11875. I. S. No. 9199-r. S. No. C-1678.)

On January 7, 1920, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 143 bottles of Texas Wonder, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped on or about December 15, 1919, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Louisiana, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, oil of turpentine, rhubarb, guaiac, and alcohol.

Misbranding of the article was alleged in the libel in that the statements on the carton enclosing, and in the circular accompanying the article, regarding the curative and therapeutic effects of the article, to wit, (carton) “* * * A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates bladder trouble in children * * *” (small circular headed “Read Carefully Special Direction”) “* * * The Texas Wonder! Hall’s Great Discovery. * * * In * * * Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved * * *,” were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed for the article by the above statements.

On April 8, 1920, no claimant having appeared, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7768. Misbranding of Valesco. U. S. * * * v. 37 Bottles of Valesco. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11851. I. S. No. 8196-r. S. No. C-1668.)

On December 26, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 37 bottles of Valesco, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on November 1, 1919, by the Alhosan Chemical Co., St. Louis, Mo., and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, “Valesco * * * For the Treatment of Tuberculosis, Asthma * * * Pneumonia and Pulmonary Affections.”

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of sodium hypophosphite, creosote, and sugar.

Misbranding of the article was alleged in the libel in that the statement on the label on the bottle containing the article, regarding the curative or thera-