

Adulteration of the product was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance, and for the further reason that it consisted wholly or in part of a portion of an animal unfit for food.

On September 6, 1913, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that product should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 6, 1914.*

**3151. Adulteration of shell eggs. U. S. v. 12 Tubs of Shell Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5291. S. No. 1880.)**

On July 31, 1913, the United States Attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and, on August 5, 1913, an amended libel, for the seizure and condemnation of 12 tubs of shell eggs, remaining unsold in the original packages and in possession of the Western Egg Yolk Co., Jersey City, N. J., alleging that the product had been shipped on or about July 28, 1913, by the Western Egg Yolk Co., doing business in New York, N. Y., and transported from the State of New York into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act. The product was unlabeled.

Adulteration of the product was alleged in the libel for the reason that the eggs were filthy, decomposed, or putrid.

On August 19, 1913, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 6, 1914.*

**3152. Adulteration of tomato pulp. U. S. v. 912 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5292. S. No. 1883.)**

On August 2, 1913, the United States Attorney for the Southern District of Ohio, 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 912 cases of tomato pulp in cans varying in size from 5 to 6 gallons, remaining unsold in the original unbroken packages and in possession of the Cincinnati Storage & Warehouse Co., as bailee of the Jersey Packing Co., the owner of the product, Cincinnati, Ohio, alleging that the product had been transported in interstate commerce from the State of Delaware into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act. The product bore no label. Adulteration of the product was alleged in the libel for the reason that it contained and consisted of a filthy and decomposed vegetable substance.

On November 15, 1913, no claimant having appeared for the property, an order pro confesso was entered.

On January 10, 1914, the case having come on for final hearing, upon motion of the United States attorney for judgment, and upon the testimony of witnesses offered ex parte on behalf of libelant to sustain the allegations of the libel, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 6, 1914.*

**3153. Adulteration of sweet peppers. U. S. v. 10 Cases of Sweet Peppers. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5293. S. No. 1881.)**

On August 4, 1913, 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 for the seizure and condemnation of 10 cases of sweet peppers, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the product had been shipped by the Lehigh Sales Co., New York, N. Y., and transported from the State of New York into the Commonwealth of Massachusetts, and charging adulteration in violation of the Food and Drugs Act. The product was labeled: "Chico Brand Spanish Sweet Red Peppers Net Weight approximately 15- $\frac{1}{2}$  ounces Packed at Calahorray Callur Spain B. Y. Doroteo Moreno."

Adulteration of the product was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On September 2, 1913, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was ordered that the product should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 6, 1914.*

**3154. Misbranding of Russell's White Drops. U. S. v. 1 Gross of Russell's White Drops. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5294. S. No. 1882.)**

On August 5, 1913, 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 for the seizure and condemnation of 1 gross of a product called "Russell's White Drops," a drug, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the product had been shipped by the Russell Medicine Co., Providence, R. I., and transported from the State of Rhode Island into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act and amendments thereto. The product was labeled: (On front of carton) "Russell's White Drops—An Invaluable Remedy for the relief and cure of wind colic, acidity of the stomach, diarrhoea, dysentery, restlessness, etc., in children teething. Harmless and effectual. It softens the gums, allays all pain, prevents convulsions, reduces inflammation, regulates the bowels and produces quiet, natural sleep. Price, 25 cents. Sold by all Druggists. None genuine without fac-simile of my signature on label and wrapper Wm. Russell, Jr. Registered in U. S. Patent Office." On each carton on one side appears: "Russell's White Drops. This preparation is not a recent discovery. It has been used for years in thousands of cases with never-failing success, and received the highest recommendations from Physicians, Nurses and Mothers," while on the other side appears: "Caution. Manufactured by The Russell Medicine Co., Providence, R. I. See that the fac-simile of my signature is on label and wrapper. W. Russell, Jr." On back of carton in small type is announcement of the presence of alcohol and codein. This announcement with the statements immediately following are: "Russell's White Drops contain 10 per cent. alcohol also  $\frac{1}{4}$  grain of codein per oz. Warranted to be free from any injurious effects or drug forming habits, according to the authority of the most eminent medical experts of the United States and Europe. Guaranteed under the Food and Drugs Act of June 30, 1906, and filed with the Secretary of Agriculture at Washington. Serial Number 1730. Russell Medicine Co., Prov., R. I." The bottle is labeled: "Russell's White Drops for Babies—A safe and effectual remedy for babies and children teething. This preparation will soften