

**5111. Adulteration and misbranding of butter. U. S. \* \* \* v. 150 Tubs, More or Less, of Butter. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11151, I. S. No. 7572-r. S. No. C-1435.)**

On or about October 6, 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 a certain quantity of an article, labeled in part "Butter," remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on or about May 21, 1919, by the Alfalfa Butter Co., Omaha, Nebr., and transported from the State of Nebraska into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it contained an average of 16.22 per cent of water and 77.89 per cent of fat.

Adulteration of the article was alleged in that a substance deficient in milk fat and high in moisture had been substituted in part for the article. Further adulteration was alleged in that a substance, to wit, excessive water, had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength. Further adulteration was alleged in that a valuable constituent of the article, to wit, butter fat, had been in part abstracted from the article.

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

On January 31, 1920, Morris & Co., claimant, having 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 the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

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

**5112. Misbranding of Lung Vita. U. S. \* \* \* v. 6 Bottles of Lung Vita. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11160. I. S. No. 8433-r. S. No. C-1439.)**

On September 3, 1919, the United States attorney for the Eastern District of Missouri, 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 a certain quantity of a certain article, labeled in part "Lung Vita," remaining unsold in the original unbroken package at St. Louis, Mo., alleging that the article had been shipped on or about June 27, 1919, by the Nashville Medicine Co., Nashville, Tenn., and transported from the State of Tennessee into the State of Missouri, 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 kerosene, vegetable oils, sugar, glycerin, alcohol, and a small amount of plant extractives.

Misbranding of the article was alleged in the libel in that certain statements appearing on the label on the bottle containing, on the carton enclosing, and in the circular accompanying the article, regarding the curative and therapeutic effects of the article, falsely and fraudulently represented the article to be effective as a remedy for consumption, bronchial asthma, coughs, colds, lung trouble, whooping cough, grip, croup, and bronchial troubles, whereas, in truth and in fact, it was not effective.