

is recommended by us for the treatment of contagious blood poison," (circular) "Syphilis and blood poison * * * Dr. Brown's Blood Treatment is recommended to be used in syphilitic diseases of the bones, syphilitic ulcers, syphilitic mucous patches, syphilitic and scrofulous skin diseases and diseases of the blood arising from syphilitic inoculation," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic and curative effects claimed for it on the said carton, bottle label, and accompanying circular quoted above.

On October 25, 1919, 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.

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

S368. Misbranding of Bourbon Poultry Remedy. U. S. * * * v. 25 60-cent-size Bottles, More or Less, of Bourbon Poultry Remedy and U. S. * * * v. 2 Half-Gallon Packages, 6 Quart, 13 Pint, and 8 60-cent-size Bottles, More or Less, of Bourbon Poultry Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 11377, 11378. I. S. Nos. 7377-r, 7378-r, 7380-r. S. Nos. C-1498, C-1500.)

On or about October 2, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain quantities of a certain article, labeled in part "Bourbon Poultry Remedy," at New Bremen and Kenton, Ohio, alleging that the article had been shipped on or about June 30, 1919, April 17, 1919, and September 3, 1919, by the Bourbon Remedy Co., Lexington, Ky., and transported from the State of Kentucky into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted of an aqueous solution containing essentially aloes, sulphate of iron, copper, and magnesium, sulphuric acid, and flavoring and coloring substances.

Misbranding of the articles in each shipment was alleged in the libels in that certain statements regarding the curative or therapeutic effects of the article, appearing in the booklet accompanying, on the carton enclosing, and on the label on the package containing the article, falsely and fraudulently represented the article to be effective as a remedy for cholera, gapes, diarrhea, roup, white diarrhea, limberneck, blackhead in turkeys, canker, blood poison, and other infectious diseases, and for the cure and prevention of destructive germ diseases, whereas, in truth and in fact, it was not effective.

On January 3, 1920, 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.

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

S369. Misbranding of olive oil. U. S. * * * v. Gabriel Carbateas and Nicholas S. Monahos (N. S. Monahos). Plea of guilty. Fine, \$25. (F. & D. No. 11986. I. S. No. 14992-r.)

On July 30, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Gabriel Carbateas and Nicholas S. Monahos, copartners, trading as N. S. Monahos, New York, N. Y., alleging shipment by said defendants, in violation of the Food and

Drugs Act, as amended, on or about April 16, 1919, from the State of New York into the State of Pennsylvania, of a quantity of olive oil which was misbranded. The article was labeled in part, "Net Contents 1 Quart, N. S. Monahos, Importer and Packer, New York."

Examination of a sample of the article by the Bureau of Chemistry of this department showed an average shortage of 5.29 per cent.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Contents 1 Quart," borne on the cans containing the article, was false and misleading in that it represented that each of said cans contained 1 quart net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained 1 quart net, whereas, in truth and in fact, each of the cans contained a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 1, 1920, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$25.

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

8370. Adulteration of scallops. U. S. * * * v. Lewis K. Piner and M. Luther Piner (Piner Bros.). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 8438. I. S. Nos. 1834-m, 1837-m, 1838-m, 1845-m.)

On February 8, 1918, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Lewis K. Piner and M. Luther Piner, copartners, trading as Piner Bros., Morehead City, N. C., alleging shipments by said defendants, in violation of the Food and Drugs Act, on or about February 22 (2 shipments), February 26, and March 11, 1917, from the State of North Carolina into the State of New York, of quantities of scallops which were adulterated.

Examination of samples of the article by the Bureau of Chemistry of this department showed that the scallops in each shipment had been soaked.

Adulteration of the article in each shipment was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality, and had been substituted in part for scallops, which the article purported to be.

On February 7, 1920, a plea of guilty to the information was entered on behalf of the said defendants, and the court imposed a fine of \$10 and costs.

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

8371. Adulteration of shell eggs. U. S. * * * v. J. Niles Boyd. Plea of guilty. Fine, \$100. (F. & D. No. 9187. I. S. No. 12610-m.)

On April 7, 1919, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against J. Niles Boyd, Kosciusko, Miss., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about June 19, 1917, from the State of Mississippi into the State of Tennessee, of a quantity of shell eggs which were adulterated.

Examination of 2 whole cases and 3 half-cases by the Bureau of Chemistry of this department showed 44.68 per cent of inedible eggs.