

Drugs Act, as amended. The article was labeled in part, "Dr. LeGear's Hog Prescription."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture composed essentially of magnesium sulphate, ferrous sulphate, sodium chlorid, charcoal, American wormwood seed, and mill screenings.

Misbranding of the article was alleged in the libel for the reason that the following statements on the carton label regarding the curative and therapeutic effects thereof were false and fraudulent, as the article contained no ingredients capable of producing the effects claimed: "The Worm Expeller \* \* \* Good for many cases of so-called Cholera in Hogs, such as Diarrhœa, Bowel Troubles, Kidney Worms, etc. For Diarrhœa, Dysentery and other Bowel Troubles resembling Cholera \* \* \* For Kidney Worms of Paralysis To prevent disease."

On March 16, 1920, the Dr. L. D. LeGear Medicine Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceeding and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act.

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

**8597. Adulteration and misbranding of olive oil. U. S. \* \* \* v. Demetrius S. Kourcotas (Union Olive Oil Co.). Plea of guilty. Fine, \$100. (F. & D. No. 12317. I. S. Nos. 7025-r, 7901-r, 7902-r, 11927-r, 11928-r, 12924-r.)**

On August 2, 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 Demetrius S. Kourcotas, trading as the Union Olive Oil Co., New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about March 13, January 31, and March 3, 1919, from the State of New York into the States of Missouri, Indiana, and Ohio, respectively, of quantities of an article, labeled in part "Finest Quality Table Oil Insuperabile Termini Imerese Type Net Contents One Gallon," on or about January 31, and March 3, 1919, from the State of New York into the States of Indiana and Ohio, respectively, of quantities of an article, labeled in part, "Olio Sopraffino Qualita Superiore Olio Finissimo \* \* \* Olive Oil \* \* \* Tripolitania Brand Net Contents Full Gallon," which was adulterated and misbranded, and on or about March 5, 1919, from the State of New York into the State of Massachusetts, of a quantity of an article, labeled in part "Extra Fine Imported Olive Oil Lemnos Brand \* \* \* Net Contents 1 Gallon," which was misbranded.

Analysis of a sample of the article taken from the shipment of March 13, labeled "Table Oil Termini Imerese Type," by the Bureau of Chemistry of this department showed that it consisted of a mixture of corn oil, cottonseed oil, and olive oil. Analyses of samples from the remaining shipments of this article and the article labeled "Olio Sopraffino Tripolitania Brand" showed that they consisted chiefly of cottonseed oil. Examination showed that the article in all shipments was short in volume.

Adulteration of the article was alleged in the information, in each shipment with the exception of the one to Massachusetts, for the reason that cottonseed oil (or in the case of the March 13 shipment of the article, labeled "Table Oil Termini Imerese Type," a mixture composed of corn oil and cottonseed oil) had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding of the article in each shipment, with the exception of the one into Massachusetts, was alleged in substance for the reason that the statements, to wit, "Finest Quality Table Oil Insuperabile," "Termini Imerese Type," and "Net Contents One Gallon," together with the design of an olive tree with natives gathering olives, or "Olio Sopraffino," "Qualita Superiore," "Olio Finissimo," and "Net Contents Full Gallon," together with the designs and devices of Italian flags, shields and medals, borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, that each of the cans contained 1 gallon net of the article, and with respect to the article labeled "Olio Sopraffino Tripolitania Brand" that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, that each of the cans contained 1 gallon net thereof, and, with respect to the article labeled "Olio Sopraffino Tripolitania Brand," that it was a foreign product, whereas, in truth and in fact, it was not olive oil, but was a mixture composed in large part of corn oil and cottonseed oil, or cottonseed oil, and each of said cans did not contain 1 gallon net thereof, but did contain a less amount, and the article labeled "Olio Sopraffino Tripolitania Brand" was not a foreign product, but was a domestic product, to wit, an article produced in the United States of America. Misbranding was alleged with respect to all shipments for the 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 August 18, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100.

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

**8598. Adulteration of canned salmon. U. S. \* \* \* v. 1,940 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12817. I. S. No. 3438-r. S. No. W-611.)**

On or about May 29, 1920, the United States attorney for the Western District of Washington, 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 1,940 cases of canned salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Alaska Fish Co., from Waterfall, Alaska, and transported from the Territory of Alaska into the State of Washington, arriving on or about September 27, 1919, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part on the case, "4 Doz. 1 Lb. Tall Seaketch Brand Pink Salmon Packed in Alaska by Alaska Fish Co., Seattle, Washington."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On September 3, 1920, the Alaska Fish Co., Seattle, Wash., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$7,500, in conformity with section 10 of the act, conditioned in part that the bad portion be separated from the good portion under the supervision of this department, the bad portion to be destroyed and the good portion to be released to the claimant.

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