

Food and Drugs Act, from the State of Louisiana into the State of Georgia, on or about March 24, 1919, of a quantity of Staf-O-Life Horse and Mule Feed, and on or about February 3, 1919, of a quantity of Coshemo Horse and Mule Feed which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Staf-O-Life feed contained 9.14 per cent of protein and 2.36 per cent of fat, and that the Coshemo feed contained 7.34 per cent of protein, and 1.65 per cent of fat.

Misbranding of the articles was alleged in substance in the information for the reason that the statements on the labels concerning the articles and the constituents thereof, to wit, (Staf-O-Life feed) "Guaranteed Analysis Protein 10.00%, Fat 3.00%," and (Coshemo feed) "Guaranteed Analysis Protein 8.50%, Fat 2.50%," were false and misleading in that they represented to purchasers of the articles that they contained not less than 10 per cent of protein and not less than 3 per cent of fat, and not less than 8.50 per cent of protein and not less than 2.50 per cent of fat, respectively, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchasers thereof into the belief that they contained not less than 10 per cent of protein and not less than 2.50 per cent of fat, and not less than 8.50 per cent of protein and not less than 2.50 per cent of fat, respectively, whereas, in fact and in truth, the articles contained less protein and less fat than declared.

On September 28, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$10.

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

SC25. Misbranding of cottonseed cake. U. S. * * * v. Harry W. Sheckley, William O. Thompson, Cecil O. Phillips, Herbert E. Wells, and Elliott B. Church (Industrial Cotton Oil Properties). Pleas of guilty. Fine, \$50. (F. & D. No. 11133. I. S. Nos. 2067-r, 2068-r.)

On August 31, 1920, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Harry W. Sheckley, William O. Thompson, and Cecil O. Phillips, of New York, N. Y., Herbert E. Wells, of Columbia, S. C., and Elliott B. Church, of Boston, Mass., trading as the Industrial Cotton Oil Properties, Houston, Tex., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about December 7, and December 17, 1918, from the State of Texas into the State of Colorado, of quantities of cottonseed cake, contained in unlabeled sacks, which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly or conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On September 27, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

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

SC26. Adulteration of butter. U. S. * * * v. 300 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11146. I. S. No. 7729-r. S. No. C-1399.)

On August 11, 1919, the United States attorney for the Middle 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 300 tubs of butter, consigned July 24, 1919, remaining unsold in the original unbroken packages at Scranton, Pa., alleging that the article had been shipped by the F. J. Munn Co., St. Paul, Minn., to Chicago, Ill., and diverted from there to Scranton, Pa., August 2, 1919, having been transported from the State of Minnesota into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it contained an excessive quantity of water which has been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, for the further reason that the article was deficient in milk fat and had been further adulterated by substituting therefor a quantity of water or moisture, and for the further reason that a valuable constituent thereof, to wit, butter fat, had been in part abstracted therefrom.

On October 3, 1919, the F. J. Munn Co., St. Paul, Minn., claimant, having filed an answer, judgment of condemnation and forfeiture was entered providing for the release of the product to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$4,000, in conformity with section 10 of the act.

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

8627. Misbranding of Red Rose and Sandal Wood. U. S. * * * v. G Dozen Packages of Red Rose and Sandal Wood. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11154. I. S. No. 2939-r. S. No. W-479.)

On September 2, 1919, the United States attorney for the Northern District of California, 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 6 dozen packages of an article, labeled in part "Red Rose and Sandal Wood," remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by Henry S. Wampole Co., Baltimore, Md., January 23, 1919, and transported from the State of Maryland into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Henry S. Wampole's Red Rose and Sandal Wood * * * A Safe Sure and Speedy Remedy."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that each package contained two preparations, an emulsion and a "wash." The emulsion consisted essentially of balsam of copaiba, oils of cubeb, santal, nutmeg, and lavender, potassium hydroxid, camphor, ethyl nitrite, gum, alcohol, and water. The wash consisted essentially of zinc chlorid, glycerin, oils of rose and geranium, and water.

It was alleged in substance in the libel that the article was misbranded in that it was labeled in part on the cartons, "* * * A Safe * * * and Speedy Remedy," and on the circulars, "Red Rose Wash and Sandal Wood Emulsion For the Relief and Prevention of Gonorrhœa (Clap), Blenorrhœa (Gleet), Leucorrhœa (Whites), and allied forms of Acute and Inflammatory Mucous Discharges from the Urethra (Urine Canal)," which statements were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On November 12, 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.*