

Auburn, Me., alleging that the article had been shipped on or about November 7, 1919, from Lowell, Mass., and transported from the State of Massachusetts into the State of Maine, 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 morphine acetate, oil of anise, sugar, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the packages bore certain statements, regarding the curative or therapeutic effects of said article, as follows, (all consignments, bottle) "For Babies * * * This preparation is highly recommended in cases of Colic, Dysentery, Sleeplessness and Painful Dentition * * * For Babies This syrup is administered in cases of Colic, Diarrhea, Dysentery, Painful Dentition, Sleeplessness, Coughs, Colds, etc.," (wrapper) "For Babies * * * This Syrup is administered for Infantile Colics, Dysentery, Coughs, Colds, Sleeplessness, etc. For Babies This syrup is administered in cases of Colics, Diarrhea, Dysentery, Painful Dentition, Coughs, Colds, Sleeplessness, etc.," (circular) "For Babies * * * A preparation for soothing pain in cases of Colic, Dysentery, Coughs, Colds and Sleeplessness. Recommended for babies and children when the process of dentition is painful. For Babies * * * A preparation for soothing pain in cases of Colic, Dysentery, Colds and Chills (Refroidissements). Recommended for babies and children when dentition is painful and when wanting sleep," which said statements were false and fraudulent, in that the article contained no ingredient or ingredients capable of producing the curative or therapeutic effects claimed for it in such statements.

On June 17, 1920, 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.*

8769. Misbranding of Texas Wonder. U. S. * * * v. 34 Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12911. I. S. No. 3358-r. S. No. W-616.)

On June 28, 1920, the United States attorney for the District of Colorado, 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 34 bottles of Texas Wonder, remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about March 27, 1920, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Colorado, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children," (circular) "Read Carefully. * * * In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the bottles were labeled with false and fraudulent statements as to the curative and therapeutic effects of the contents, and that each bottle was accompanied by a circular containing false and fraudulent statements as to the curative and therapeutic effects of the contents of the said bottles, in that said drug was not

a remedy for the diseases named on the label or in the circular accompanying the article.

On October 30, 1920, no claimant having appeared for the property, a default decree 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.*

S770. Adulteration of oats. U. S. * * * v. Taylor & Bournique Co., a Corporation. Plea of guilty. Fine, \$1,100. (F. & D. No. 8585 I. S. Nos. 1409-m, 1413-m, 2971-m, 2973-m, 6225-m, 6240-m, 6246-m, 6247-m, 2730-m, 10609-m, 10611-m.)

On May 23, 1918, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information in 11 counts against the Taylor & Bournique Co., a corporation, Milwaukee, Wis, alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 6, October 13, and October 14, 1916, from the State of Wisconsin into the State of Maryland, and on or about October 24, 1916, from the State of Wisconsin into the State of Virginia, of quantities of oats which were adulterated.

Analyses of samples of the article taken from each shipment by the Bureau of Chemistry of this department showed 10.4, 10, 15.1, 10.2, 10.6, 9.2, 11.7, 9, 14.9, 19.39, and 11.16 per cent, respectively, of foreign matter, consisting of wild oats, other grains, weed seeds, chaff, and dust.

Adulteration of the article was alleged in the information for the reason that substances, to wit, wild oats, weed seeds, chaff, and dust, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality, and had been substituted in part for oats which the article purported to be.

On November 1, 1920, a plea of not guilty to the information theretofore entered on behalf of the defendant company having been withdrawn, a plea of guilty was entered, and the court imposed a fine of \$1,100.

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

S771. Adulteration of concentrated tomato and tomato sauce. U. S. * * * v. Thomas Page. Plea of guilty. Fine, \$100. (F. & D. No. 9116. I. S. Nos. 2502-p, 10584-p.)

On May 9, 1919, the United States attorney for the Western 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 Thomas Page, Albion, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about October 22, 1917, from the State of New York into the State of Pennsylvania, of a quantity of concentrated tomato, and on or about October 25, 1917, from the State of New York into the State of Missouri, of a quantity of tomato sauce, which were adulterated. The articles were labeled in part, "Mt. Etna Brand Concentrated Tomato * * * Packed by Thomas Page, Albion, N. Y.," and "Tripoli Brand Tomato Sauce * * * Packed by Thomas Page, Albion, N. Y."

Analyses of samples of the articles by the Bureau of Chemistry of this department indicated that they were made of partially decomposed tomatoes.

Adulteration of the articles was alleged in the information for the reason that they consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On October 28, 1919, 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.*