

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

On March 9, 1921, 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.*

9273. Misbranding of Texas Wonder. U. S. * * * v. 259 Bottles * * * of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12867. I. S. No. 6005-r. S. No. C-1956.)

On or about June 8, 1920, the United States attorney for the Western District of Oklahoma, 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 259 bottles, more or less, of Texas Wonder, remaining unsold in the original unbroken packages at Oklahoma City, Okla., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., part on or about March 29, 1920, and part on or about April 17, 1920, and transported from the State of Missouri into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Texas Wonder * * * E. W. Hall, Sole Manufacturer St. Louis, Mo."

Analysis of a sample of the article 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 substance in the libel for the reason that the packages and cartons bore and contained the following statements regarding the curative and therapeutic effect of said article, (carton) "A Remedy For Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children," (circular headed "Read Carefully") "* * * In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved * * *," which statements were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On August 5, 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.*

9274. Misbranding of red kidney beans. U. S. * * * v. Edward P. Ray, John Westing, and Peter Westing (New Era Canning Co.). Pleas of guilty. Fine, \$300. (F. & D. No. 12900. I. S. Nos. 8553-r, 8557-r.)

On January 26, 1921, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Edward P. Ray, John Westing, and Peter Westing, trading as the New Era Canning Co., New Era, Mich., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about August 23 and November 13, 1919, from the State of Michigan into the State of Illinois, of a quantity of red kidney beans which were adulterated. The article was labeled in part: "New Era Brand * * * Red Kidney Beans * * * Packed By New Era Canning Co., New Era, Mich."

Examination of samples of the article by the Bureau of Chemistry of this department showed that it contained 25.7 per cent and 49.4 per cent, respectively, of decomposed beans, and that it had a musty odor and taste.