

District Court of the United States for said district a libel for the seizure and condemnation of 8 packages of Krause's Phosphorets, at Chicago, Ill., alleging that the article had been shipped by the Norman Lichty Mfg. Co., Des Moines, Iowa, on June 14, 1920, and transported from the State of Iowa into the State of Illinois, 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 ferrous carbonate, asafetida, and traces of elemental phosphorus.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements, regarding the curative or therapeutic effect thereof, appearing upon the carton containing the article and in the circular inclosed therein, to wit, (carton) "Nervous Debility * * * Neurasthenia * * * Exhausted Nerve Force," (circular) " * * * will cure all diseases arising from a shattered condition of the nervous system, or the exhaustion of the vital energies of the brain from overwork, worry, dissipation, excesses or overindulgence of any kind * * * successful in the treatment of nervous debility, dizziness, despondency, paralysis, neurasthenia, * * * ringing noises in the head, lack of energy or ambition, * * * muscular weakness, shortness of breath * * * pain in the back, loss of memory, indecision, sciatica, early decay, rheumatism, hysteria, wasting diseases, * * * restore the blood to its normal condition, throw off the impurities and overcome diseases infesting the system. * * * For Men * * * They will * * * cure * * * spermatorrhea * * * drains of the prostatic fluid * * *," were false and fraudulent in that the said statements were applied to the article so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of such purchasers the impression and belief, that the said article was composed of or contained ingredients or medicinal agents, or combinations of ingredients, effective as a remedy for the various diseases, ailments, and afflictions mentioned therein, whereas, in truth and in fact, it did not contain ingredients effective for the purposes named.

On April 15, 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.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

9414. Adulteration and misbranding of Waukesha Water. U. S. * * * v. 10 Cases * * * and 19 Cases * * * of Waukesha Water * * *. Default decrees of condemnation, forfeiture, and destruction or sale. (F. & D. Nos. 13836, 13980. I. S. Nos. 1349-t, 2318-t. S. Nos. C-2568, C-2600.)

On October 30 and November 30, 1920, respectively, the United States attorney for the Eastern District of Illinois, 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 10 cases and 19 cases, more or less, of Waukesha Water, consigned by Wm. H. Anderson, Waukesha, Wis., remaining unsold in the original unbroken packages at Centralia, Ill., alleging that the article had been shipped from Waukesha, Wis., on or about August 6 and October 29, 1920, respectively, and transported from the State of Wisconsin into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Anderson's Genuine Waukesha Water The Best By Test * * * Natural Mineral Water W. H. Anderson, Proprietor Natural Spring Water."

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

Misbranding was alleged with respect to a portion of the article for the reason that the statement on the label, "Best By Test," was false and misleading and deceived and misled the purchaser.

On February 21, 1921, 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 or sold by the United States marshal.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

9415. Adulteration and misbranding of mustard. U. S. * * * v. 16 Cases * * * of Bayle Quality Prepared Mustard * * *. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13973. I. S. No. 1350-t. S. No. C-2588.)

On November 30, 1920, the United States attorney for the Eastern District of Illinois, 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 16 cases, more or less, of Bayle Quality prepared mustard, consigned by the Bayle Food Products Co., St. Louis, Mo., remaining unsold in the original unbroken packages at Centralia, Ill., alleging that the article had been shipped from St. Louis, Mo., on or about September 2, 1920, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Bayle Quality Prepared Mustard Bayle Food Products Co. St. Louis 16 Oz. Net Weight Avois. Mustard Seed, Vinegar, Salt and Condiments Colored and Flavored with Turmeric."

Adulteration of the article was alleged in the libel for the reason that mustard bran had been mixed and packed with, and substituted wholly or in part for, the article, and for the further reason that it was mixed and colored in a manner whereby damage or inferiority was concealed.

Misbranding was alleged for the reason that the statements, "Prepared Mustard * * * 16 Oz. Net Weight Avois. Mustard Seed, Vinegar, Salt and Condiments Colored and Flavored with Turmeric," were false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On February 21, 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.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

9416. Adulteration and misbranding of apple flavor and crab apple flavor phosphated beverages. U. S. * * * v. ½ Barrel of Apple Flavor and Two ½-Barrels of Crab Apple Flavor Phosphated Beverages. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 599-c. I. S. Nos. 14934-t, 14935-t.)

On March 30, 1921, the United States attorney for the District of Nebraska filed in the District Court of the United States for said district a libel for the seizure and condemnation of ½ barrel of apple flavor and two ½-barrels of crab apple flavor phosphated beverages, at Hastings, Nebr., alleging that the articles had been shipped on or about September 15, 1920, by the Red Cross Mfg. Co., St. Louis, Mo., and transported from the State of Missouri into the State of Nebraska, and charging adulteration and misbranding in violation of the Food