

Court of the United States for said district a libel for the seizure and condemnation of certain bottles of Parry's Vegetable Compound Nos. 1 to 14, inclusive, remaining in the original unbroken packages at Baltimore, Md., alleging that the articles had been shipped by the Parry Medicine Co., Inc., Pittsburgh, Pa., and transported from the State of Pennsylvania into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part: "Parry's Vegetable Compound No. 1. \* \* \* Cancer \* \* \* For Tuberculosis, Lungs, Bones or Flesh, Gallstones or Tapeworm;" " \* \* \* No. 2. \* \* \* Cancer \* \* \* For Cancer, Catarrh, Head Noises, Tumors, Adenoids, Hemorrhoides, Piles, Appendicitis, Asthma, Goiter, Typhoid and all other Fevers;" " \* \* \* No. 3. \* \* \* Cancer \* \* \* For Bright's Disease, Bladder, Kidneys, Influenza and for Weak Women;" " \* \* \* No. 4. \* \* \* Cancer \* \* \* For Stomach, Bowel Trouble, Black Plague and Leprosy;" " \* \* \* No. 5. \* \* \* Cancer \* \* \* For Inflammation of Throat and Bronchitis;" " \* \* \* No. 6. \* \* \* Cancer \* \* \* For Eczema, Pimples, Skin Disease, Scalds, Burns, and Smallpox;" " \* \* \* No. 7. \* \* \* Cancer \* \* \* For Varicose Veins, High Blood Pressure and Dropsy;" " \* \* \* No. 8. \* \* \* Cancer \* \* \* For Diabetes, Liver, Spleen and Adenoids;" " \* \* \* No. 9. \* \* \* Cancer \* \* \* For Insanity, Fits, Paralysis, Meningitis, Mad Dog and Snake Bite;" " \* \* \* No. 10. \* \* \* Cancer \* \* \* For Heart, Kidneys, Nose and Throat;" " \* \* \* No. 11. \* \* \* Cancer \* \* \* For Nervous Troubles Rheumatism and Saint Vitis Dance;" " \* \* \* No. 12. \* \* \* Cancer \* \* \* For Nerves, Gall Stones, Curvature of Spine and Deformity;" " \* \* \* No. 13. \* \* \* Cancer \* \* \* For Blindness, Weak Eyes, Cataract and Deafness;" " \* \* \* No. 14. \* \* \* Cancer \* \* \* For All Venereal Diseases, Etc."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that each and all consisted essentially of olive oil, alcohol, water, and amaranth coloring matter.

Misbranding of the articles was alleged in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effects of the said articles were false and fraudulent, as the articles contained no ingredient or combination of ingredients capable of producing the effects claimed. Misbranding was alleged in substance for the further reason that each label bore the words, "All goods guaranteed under the Pure Food and Drugs Act, June 30, 1906," which statement was false and misleading.

On April 6, 1921, the Parry Medicine Co., Pittsburgh, Pa., having entered an appearance as claimant for the property, and having filed an answer to the libel, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the goods be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the articles be relabeled under the supervision of this department.

C. W. PUGSLEY,

*Acting Secretary of Agriculture.*

**9436. Misbranding of olive oil. U. S. \* \* \* v. Joseph Crisafulli and Stefano Crisafulli (Crisafulli Bros.). Pleas of guilty. Fine, \$200. (F. & D. No. 14049. I. S. Nos. 12995-r, 13173-r.)**

At the April, 1921, term of the United States District Court within and for the Southern District of New York, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the District Court aforesaid an information against Joseph Crisafulli and Stefano Crisafulli, trad-

ing as Crisafulli Bros., at New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about September 27, 1919, from the State of New York into the State of Rhode Island, of a quantity of olive oil which was misbranded. The article was labeled in part: "Contains One Full Gallon" (or "1/2 Gallon" or "One Full Quart") "\* \* \* Pure Olive Oil Crisafulli Brand \* \* \* Crisafulli Brothers Importers & Packers \* \* \*"

Examination of samples of the article by the Bureau of Chemistry of this department showed the following results:

Cans.	Sample No. 1, 12 cans of each size.		Sample No. 2, 24 cans of each size.	
	Average net contents.	Shortage.	Average net contents.	Shortage.
	<i>Gallon.</i>	<i>Per cent.</i>	<i>Gallon.</i>	<i>Per cent.</i>
Gallon.....	0.988	1.2	0.984	1.6
Half-gallon.....	.493	1.4	.488	2.4
Quart.....	.244	2.4	.241	3.6

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 and conspicuously marked on the outside of the package. Misbranding was alleged for the further reason that the statements, to wit, "One Full Gallon," "Contains 1/2 Gallon," or "Contains One Full Quart," as the case might be, borne on the cans containing the article, regarding the article, were false and misleading in that they represented that each of the said cans contained one full gallon, one-half gallon, or one full quart, as the case might be, of the said article, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the cans contained one full gallon, one-half gallon, or one full quart, as the case might be, whereas, in truth and in fact, each of said cans contained a less amount.

On April 6, 1921, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$200.

C. W. PUGSLEY,

*Acting Secretary of Agriculture.*

**9437. Misbranding of Pratts Cow Remedy. U. S. \* \* \* v. 24 Packages, 60-Cent Size, 2 Cases, 60-Cent Size, 12 Packages, \$1.20 Size, 1 Case, \$1.20 Size, and Two 12-Pound Pails of Pratts Cow Remedy. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 14415, 14417. I. S. Nos. 4760-t, 4759-t. S. Nos. C-2769, C-2784.)

On or about February 18, 1921, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on April 30, 1921, an amended libel, for the seizure and condemnation of certain quantities of Pratts Cow Remedy, at San Antonio, Tex., alleging that the article had been shipped by the Pratt Food Co., Chicago, Ill., on or about December 27, 1919, July 19, 1920, and October 12, 1920, and transported from the State of Illinois into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended. A portion of the article was labeled in part: "Pratts Cow Remedy is a tested remedy and preventive for Contagious Abortion, Barrenness (Failure to Breed), Garget, Milk Fever \* \* \* For Barrenness \* \* \* For Milk Fever And Garget \* \* \* prevents retained afterbirth, \* \* \* For Calves: For preventing or treating scours,