

the execution of bonds in the aggregate sum of \$2,600, in conformity with section 10 of the act, conditioned in part that if the product should be again offered for sale the barrels containing the same should be properly branded so as to comply with the provisions of the Food and Drugs Act.

C. W. PUGSLEY,  
*Acting Secretary of Agriculture.*

**9442. Adulteration and misbranding of ice cream cones. U. S. \* \* \* v. 10,000 Cones of an Article of Food Designated "Sterling Brand Sweet Cake Ice Cream Cones." Default decree of condemnation. Product ordered destroyed.** (F. & D. No. 13516. I. S. No. 11679-t. S. No. C-2087.)

On August 25, 1920, the United States attorney for the Eastern District of Kentucky, 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 10,000 Sterling Brand Sweet Cake ice cream cones, remaining unsold in the packages in which they were shipped, at Lexington, Ky., consigned on June 10, 1920, by the Sterling Cone Co., St. Louis, Mo., from East St. Louis, Ill., alleging that the article had been transported from the State of Illinois into the State of Kentucky, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Sterling Brand Sweet Cake Ice Cream Cones Manufactured and Guaranteed By Sterling Cone Co. \* \* \* Saint Louis, Missouri \* \* \* Purest Made—Finest Grade."

Adulteration of the article was alleged in the libel for the reason that saccharin had been mixed and packed with, and substituted wholly or in part for, the article, for the further reason that it was mixed in a manner whereby its inferiority was concealed, and for the further reason that it contained an added poisonous or deleterious ingredient, to wit, saccharin, which might render it injurious to health.

Misbranding was alleged for the reason that the labeling, "Sterling Brand Sweet Cake Ice Cream Cones," was false and misleading and deceived and misled the purchaser into the belief that the product was sweetened with sugar, whereas it contained saccharin.

On April 13, 1921, no claimant having appeared for the property, and the case having come on for final disposition, judgment of condemnation 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.*

**9443. Misbranding of Arthur's Sextone Tablets. U. S. \* \* \* v. 10 Boxes of Arthur's Sextone Tablets. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13706. Inv. No. 23282. S. No. C-2513.)

On September 21, 1920, the United States attorney for the Eastern District of Arkansas, 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 10 boxes of Arthur's Sextone Tablets, at Pine Bluff, Ark., alleging that the article had been shipped on or about March 6, 1920, by the Palestine Drug Co., St. Louis, Mo., and transported from the State of Missouri into the State of Arkansas, 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 the tablets were coated with sugar and calcium carbonate and contained iron, zinc, caffeine, a small amount of phosphate, and unidentified plant extractives.