

duce and lower and injuriously affect its quality and strength and had been substituted in part for olive oil, which the article purported to be. Adulteration of the article was alleged for the further reason that cottonseed oil had been mixed therewith in a manner whereby its damage and inferiority were concealed.

Misbranding was alleged for the reason that the statements, to wit, "Huilo D'Olive Extra Vierge Spain," labeled on the package, concerning the said article, the ingredients contained therein, and the place of manufacture thereof, were false and misleading in that the said statements represented the article to be olive oil of extra quality, imported from Spain, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser thereof into the belief that it was pure olive oil and a foreign product, whereas, in truth and in fact, it was not pure olive oil imported from Spain, but was an article containing added cottonseed oil and was made in the United States of America. Misbranding was alleged for the further reason that the said article was a product composed in part of cottonseed oil, prepared in imitation of, and offered for sale under the distinctive name of, another article, to wit, olive oil, and for the further reason that it was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On July 26, 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 sold by the United States marshal as cottonseed oil.

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

9680. Misbranding of The Texas Wonder. U. S. * * * v. 141 Bottles of The Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9418. I. S. No. 6269-r. S. No. C-1003.)

On November 5, 1918, the United States attorney for the Northern 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 for the seizure and condemnation of 141 bottles of The Texas Wonder, remaining in the original packages at Fort Worth, Tex., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., on or about October 8, 1918, and transported from the State of Missouri into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton and bottle) "The Texas Wonder, Hall's Great Discovery, for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism, Dissolves Gravel, Regulates Bladder Trouble in Children"; (circular) "Louis A. Portner * * * testified * * * he began using The Texas Wonder for stone in the kidneys * * * and tuberculosis of the kidneys * * * He was still using the medicine with wonderful results, and his weight had increased * * *."

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 above statements appearing upon the cartons and bottles and in the circular, regarding the therapeutic effects of the article, were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 19, 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.

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