

On May 3 and August 25 and 29, 1921, respectively, 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 by the United States marshal.

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

9848. Adulteration of coal-tar color. U. S. * * * v. 1 Pound Can of Coal-Tar Color. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14645. I. S. No. 3684-t. S. No. C-2875.)

On March 25, 1921, the United States attorney for the Western 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 1 pound can of coal-tar color, remaining unsold in the original package at Central City, Ky., consigned by the W. B. Wood Mfg. Co., St. Louis, Mo., March 1, 1921, alleging that the article had been shipped from St. Louis, Mo., and transported from the State of Missouri into the State of Kentucky, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that sodium chlorid had been mixed and packed with, and substituted wholly or in part for, the said article, and for the further reason that it contained an added poisonous or deleterious ingredient, to wit, arsenic, which might render the said article injurious to health.

On June 28, 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.*

9849. Misbranding of Southern stock powders. U. S. * * * v. 58 Packages of Southern Stock Powders. Tried to a jury. Verdict finding product misbranded. Order of condemnation, forfeiture, and destruction entered. (F. & D. Nos. 14654, 14655. Inv. Nos. 30045, 30046. S. No. E-3193.)

On March 23, 1921, the United States attorney for the Western District of South Carolina, 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 58 packages of Southern stock powders, at Greenville, S. C., alleging that the article had been shipped by the Southern Stock Food Co., Atlanta, Ga., on or about January 21, 1921, and transported from the State of Georgia into the State of South Carolina, 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 iron sulphate, arsenic, nuxvomica, antimony, aloes, a nitrate, salt, soda, and ground vegetable material.

Misbranding of the article was alleged in substance in the libel for the reason that the cartons containing the said article bore statements regarding the curative and therapeutic effects thereof and the ingredients or substances contained therein, to wit, "* * * Hog Cholera—Will be prevented if you start in time to feed all your hogs Southern Stock Powders. * * * in the preparation of these Powders we have carefully considered cholera," which were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 9, 1921, the case having come on for final disposition before a jury, a verdict was entered finding the product to be misbranded as alleged in the libel, and it was ordered by the court that the said product be condemned and forfeited and that it be destroyed by the United States marshal.

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