

sugar and licorice root for the lungs and phlegmatic conditions of the system and to allay the bitter mass of the two aloes of different duties, which takes gastric juice and superfluous of sour mass of acid oxygen from the stomach, therefore, it cures indigestion, * * *"; (circular) "* * * T. B. Donaldson's Wonderful New Life Remedy The Germ Exterminator As an unparalleled Medicine for the Blood! It has stood the test of ages, and now stands as a pier for all diseases of the system; emanating from the vital organs, such as Stomach and Liver Difficulties, Dyspepsia, Biliousness, Syphilis, Scrofula, Erysipelas, Catarrh, Liver Complaint, Rheumatism, Enlargement of the Liver, Diseases of the Kidneys, Chronic Constipation and Nervous Debility. * * * It is a Genuine Blood Cleanser, Stomach and Liver Regulator. It is one of the greatest Kidney Medicines in the world. It clears the urinal organs and strengthens the bladder, gives vitality, vim and vigor to manhood. * * * 100,000 People Cured * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained extracts of vegetable drugs, including senna, sulphate, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing on the labels of the bottles and cartons containing the said article and in the accompanying circular were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effect claimed.

On July 11, 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.*

10011. Adulteration and misbranding of sirup. U. S. * * * v. 79 Barrels * * * of Sirup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13129. I. S. No. 3903-t. S. No. C-2065.)

On August 3, 1920, the United States attorney for the Northern 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 79 barrels, more or less, of sirup, at Chicago, Ill., alleging that the article had been shipped by the Federal Extract Works, Rochester, N. Y., June 21, 1920, and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that a certain substance, to wit, saccharin, had been substituted in whole or in part for sirup, which the said article purported to be; for the further reason that the said substance had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength; for the further reason that it had been mixed and packed in a manner whereby damage and inferiority were concealed; and for the further reason that it contained an added poisonous and deleterious ingredient, to wit, saccharin, which might render said article injurious to health.

Misbranding was alleged for the reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, namely, "Double Blended Syrup, containing 65% cane sugar and 35% invert sugar, including malt sugar."

On October 6, 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.*

10012. Adulteration and misbranding of extra dry champagne and sparkling Burgundy. U. S. * * * v. 10 Drums, 50 Cases, and 22 Cases * * * of Extra Dry Champagne * * * and 12 Cases * * * of Sparkling Burgundy * * *. Consent decree of condemnation and forfeiture with respect to 22 cases of extra dry champagne and 12 cases of sparkling Burgundy and products released under bond. Default decrees of condemnation, forfeiture, and destruction with respect to remainder. (F. & D. Nos. 13805, 13806, 13807. I. S. Nos. 1984-t, 1985-t, 1977-t, 1978-t. S. Nos. C-2555, C-2558, C-2559.)

On October 29, 1920, the United States attorney for the Northern 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 drums and 72 cases of extra dry champagne, nonalcoholic, and 12 cases of sparkling Burgundy, nonalcoholic, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the articles had been shipped in part by H. G. Mumm & Co., New York, N. Y., July 28 and August 10, 1920, respectively, and in part from Columbus, Ohio, September 1, 1920, and transported from the States of New York and Ohio, respectively, into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the articles was alleged in the libels for the reason that imitation products, artificially carbonated, had been mixed and packed with, and substituted wholly or in part for, nonalcoholic champagne and nonalcoholic sparkling Burgundy. Adulteration was alleged for the further reason that the articles were artificially colored in a manner whereby damage or inferiority was concealed.

Misbranding was alleged for the reason that the articles bore labels, respectively, in part as follows, "Unfermented H. G. Mumm & Company Extra Dry Champagne Non-Alcoholic. H. G. Mumm & Company, Distributors, Bordeaux, France, New York, Chicago," and "Non-Alcoholic H. G. Mumm & Company Sparkling Burgundy Style * * *," which labels were false and misleading and deceived and misled the purchaser in that the said articles were not extra dry champagne and sparkling Burgundy. Misbranding was alleged for the further reason that the articles were imitations of, and sold under the distinctive names of, other articles, to wit, extra dry champagne and sparkling Burgundy, respectively. Misbranding of a portion of the extra dry champagne was alleged for the further 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.

On May 20, 1921, the Steele-Wedeles Co., Chicago, Ill., claimant, having admitted the allegations of the libel filed in the case of the 22 cases of extra dry champagne and 12 cases of sparkling Burgundy, and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the said portion of the products be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the articles be labeled in harmony with the Federal Food and Drugs Act. On October 6, 1921, no claimant having appeared for the remainder of the extra dry champagne, 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.*

10013. Misbranding of peaches. U. S. * * * v. Charles E. Dean. Plea of guilty. Fine, \$5 and costs. (F. & D. No. 14313. I. S. No. 3054-t.)

On April 25, 1921, the grand jurors of the United States within and for the District of Indiana, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for the district aforesaid an indictment against Charles E. Dean, Marble Hill, Ind., charging shipment by said defendant, on or about August 24, 1920, in violation of the Food and Drugs Act, as amended, from the State of Indiana into the State of Ohio, of a quantity of peaches in unlabeled baskets, which were misbranded.

Misbranding of the article was charged in the indictment 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.

On May 31, 1921, the defendant entered a plea of guilty to the indictment, and the court imposed a fine of \$5 and costs.

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

10014. Misbranding of McMullin's tonic. U. S. * * * v. 6 Half-Pint Bottles of * * * McMullin's Tonic, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14842, 14852. I. S. Nos. 10789-t, 10792-t. S. Nos. W-918, W-919.)

On May 3 and 5, 1921, respectively, the United States attorney for the District of New Mexico, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 14 half-pint bottles, 16 pint bottles, and 4 quart bottles of McMullin's tonic, remaining unsold in the original packages at Tucumcari and