

Analyses of samples from the various consignments of the article by the Bureau of Chemistry of this department showed the presence of 26.4 per cent, 26.7 per cent, and 26.1 per cent, respectively, of crude fiber. Examination of the said samples showed the presence of 56 per cent, 50 per cent, and 62 per cent, respectively, of what were apparently delinted ground cottonseed hulls.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Crude Fiber, (Max.) 22%" and "Made exclusively from High Grade Cotton Seed Meal and Bolted Hull Bran," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that the said statements represented that the article contained not more than 22 per cent of crude fiber and that it was made exclusively from high grade cottonseed meal and bolted hull bran, and for the further reason that the said article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not more than 22 per cent of crude fiber and that it was made exclusively from high grade cottonseed meal and bolted hull bran, whereas, in truth and in fact, it did contain more than 22 per cent of crude fiber, and it was not made exclusively from high grade cottonseed meal and bolted hull bran but was a product containing ground cottonseed hulls.

On September 21, 1920, a plea of guilty to the information was entered on behalf of the Planters Oil Co., and the court imposed a fine of \$150. On October 20, 1921, a plea of guilty to the information was entered on behalf of the Taylor Commission Co., and the court imposed a fine of \$150.

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

10118. Misbranding of American hog remedy. U. S. * * * v. Chancy A. Jones, P. E. Prouse, George W. Hoffman, Jacob Clady, and Ralph W. Harris (The American Remedy Co.). Pleas of nolo contendere. Fine, \$25 and costs. (F. & D. No. 10776. I. S. No. 5916-r.)

On February 10, 1920, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Chancy A. Jones, P. E. Prouse, George W. Hoffman, Jacob Clady, and Ralph W. Harris, trading as the American Remedy Co., Tiffin, Ohio, alleging shipment by said defendants, on or about December 13, 1917, in violation of the Food and Drugs Act, as amended, from the State of Ohio into the State of Kansas, of a quantity of American hog remedy which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of iron sulphate, magnesium sulphate, salt, charcoal, nux vomica, and ground vegetable material.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the packages containing the said article, falsely and fraudulently represented it to be effective as a preventive and as a treatment, remedy, and cure for hog cholera, swine plagues, and inflammatory and all contagious diseases peculiar to swine, when, in truth and in fact, it was not.

On March 26, 1920, the defendants entered pleas of nolo contendere to the information, and the court imposed a fine of \$25 and costs.

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

10119. Misbranding of apple butter. U. S. * * * v. Emma E. Fishback (The Pure Food Mfg. Co.). Plea of guilty. Fine, \$10. (F. & D. No. 11955. I. S. No. 2706-r.)

On December 16, 1920, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Emma E. Fishback, trading as the Pure Food Mfg. Co., Denver, Colo., alleging that the said defendant had guaranteed as complying with the Food and Drugs Act a quantity of apple butter which was misbranded within the meaning of the said act, as amended, and that on or about January 14, 1919, the said article was shipped from the State of Colorado into the State of New Mexico, in violation of the said act. The article was labeled: (Cans) "Delicious Brand Fancy Apple Butter Packed by The Pure Food Manufacturing Co., Denver, Colo. Net Contents 12 Oz."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was an apple product from which a portion of the water-soluble constituents of the fruit had been extracted.

Misbranding of the article was alleged in the information for the reason that the statements appearing on the label, to wit, "Fancy Apple Butter" and "Net Contents 12 Oz.," were false and misleading in that they represented that the said article was apple butter and that each of the said cans contained not less than 12 ounces thereof, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article was apple butter and that each of the said cans contained not less than 12 ounces thereof, whereas, in fact and in truth, the said article was not apple butter but was a product made from dried apple skins, cores, and pomace, and each of the said cans did not contain 12 ounces thereof but did contain a less quantity. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly or conspicuously marked on the outside of the package, in terms of weight, measure, or numerical count.

On November 10, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

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

10120. Misbranding of Hull's Superlative compound and Hull's Superlative liniment. U. S. * * * v. The A. J. Hull Medicine Co., a Corporation. Pleas of nolo contendere. Fines, \$40 and costs. (F. & D. Nos. 8881, 9350. I. S. Nos. 9203-p, 8843-p.)

On July 30, 1918, and January 16, 1919, respectively, the United States attorney for the Northern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district informations against the A. J. Hull Medicine Co., Findlay, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about July 5 and October 23, 1917, respectively, from the State of Ohio into the State of Indiana, of quantities of Hull's Superlative compound and Hull's Superlative liniment, respectively, which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Superlative compound consisted essentially of extracts of plant drugs, including cinchona, a volatile oil, alcohol, and water; and that the Superlative liniment consisted of volatile oils, including cedar, thyme, and probably wormwood oils, camphor, and alcohol.

Misbranding of the articles was alleged in the informations for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles and cartons containing the said articles and in the circulars accompanying the same, falsely and fraudulently represented that the Superlative compound was effective as a remedy and cure for liver and kidney diseases, sick and nervous headache, dyspepsia, nervous prostration, epileptic fits, paralysis, scrofula, impure blood, consumption and bronchial troubles in first stages, all nervous diseases, chills and malarial fever, all diseases arising from impure blood, dizziness, dropsy, diabetes, Bright's disease, catarrh, rheumatism, painful menstruation, irregularity, bad results from change of life, weak kidneys in children, la grippe, nervous trouble, fevers, all kinds of paralysis, and infantile paralysis, as a cure for stomach troubles, and as a treatment, remedy, and cure for nervous prostration, paralysis, epileptic fits, St. Vitus dance, diabetes, and liver, kidney, and stomach troubles; and that the Superlative liniment was effective as a treatment, remedy, and cure for congestion of the lungs, pleurisy, rheumatism, neuralgia, sore throat, inflammation of the bowels and kidneys, gas on the stomach, pimples and blackheads, pains in the head, burns, bunions, eczema, and swollen glands, when, in truth and in fact, the said articles contained no ingredients or medicinal agents capable of producing the effects claimed. Misbranding was alleged for the further reason that the statements, to wit, "Contains 15% Absolute Alcohol by Volume" and "Contains 15% Grain Alcohol by Volume," borne on the carton and bottle label, respectively, with respect to the Superlative compound, and the statement, to wit, "Contains 70 per cent alcohol by volume," borne on the carton, with respect to the Superlative liniment, were false and misleading in that they represented that the said articles contained 15 per cent or 70 per cent of alcohol, as the case might be, whereas, in fact and in truth, the said articles did not contain 15 per cent or 70 per cent of alcohol, as the case might be, but did contain greater amounts, to wit, 26 per cent and 82.88 per cent of alcohol, respectively. Misbranding was alleged for the further reason that the articles contained alcohol and the labels failed to bear statements of the quantity or proportion of alcohol contained therein.