

10149. Adulteration of salted anchovies. U. S. * * * v. 23 Cases * * * of Salted Anchovies * * *, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15615. I. S. No. 11058-t. S. No. W-1031.)

On November 14, 1921, the United States attorney for the Northern District of California, 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 46 cases of salted anchovies, remaining in the original unbroken packages at San Francisco, Calif., consigned by Henry Sanchez & Co., New York, N. Y., alleging that the article had been shipped from New York, N. Y., June 27, 1921, and transported from the State of New York into the State of California, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "* * * Salted Anchovies."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On December 1, 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.*

10150. Misbranding of Capitol hog remedy. U. S. * * * v. 11 Packages of * * * Capitol Hog Remedy. Default decree declaring product misbranded and ordering its destruction. (F. & D. No. 12405. I. S. No. 16716-r. S. No. E-2100.)

On May 10, 1920, the United States attorney for the Northern District of West Virginia, 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 11 packages of Capitol hog remedy, remaining unsold in the original unbroken packages at Harpers Ferry, W. Va., alleging that the article had been shipped by the Capitol Food Co., Tiffin, Ohio, on or about November 21, 1919, and transported from the State of Ohio into the State of West Virginia, 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 of charcoal, powdered vegetable material, including nux vomica and wormseed, iron sulphate, magnesium sulphate, sodium carbonate, and sodium chlorid.

It was alleged in substance in the libel that the article was misbranded for the reason that it was labeled as follows, (carton) "* * * Capitol Hog Remedy * * * A Superior * * * Remedy For Swine. Recommended for Hog Cholera, Scrofula, Inflammatory and all contagious Diseases peculiar to swine; purifies the blood; * * * an invaluable remedy for Hog Cholera, Scrofula, Inflammatory conditions and all contagious diseases peculiar to Swine. * * * Cures Indigestion, * * * keeps the hogs healthy * * * Capitol Hog Remedy insures health * * * A Wonder In The Development Of Swine Recommended to cure and prevent diseases, produces an extraordinary rapid growth * * * Recommended to cure and prevent Hog Cholera and all contagious diseases peculiar to Swine; * * * restores Hogs to a good healthy condition. Have [Save] Your Hogs * * * Feed Capitol Hog Remedy * * * regularly for three months, thus insuring no loss whatever from Cholera or any other disease, * * * This will keep them free from disease * * * For Young Pigs * * * will insure a rapid growth and prevent all diseases. * * * For Hog Cholera—As soon as you notice that Hog Cholera has begun on your herd, * * * Give from two to three tablespoonfuls of Capitol Hog Remedy * * *," which statements were false and fraudulent in that the said article contained no ingredients or combination of ingredients capable of producing the effects claimed.

On October 1, 1920, no claimant having appeared for the property, judgment was entered declaring the product to be misbranded, and it was ordered by the court that the said product be destroyed by the United States marshal.

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