

fective Nutrition and for Increasing Strength and General Health where Mucous Membranes are Susceptible to Lung Disease and Pulmonary Disorganization with Bronchial Irritation. (In Pre-tubercular stages) * * * Use no other lung medicine while using Lung Germine. Read carefully the circular accompanying this bottle * * *," (carton) "Your Lungs Are They Weak Or Painful? Do your lungs ever bleed? Do you have night sweats? Are you short of breath? Have you pains in chest and sides? Do you spit yellow and black matter? Do you have pains under your shoulder blades? These Are Regarded Symptoms of Lung Trouble Do Not Neglect These Symptoms Keep Lung Germine in your home ready for immediate use at the first sign of Membraneous Lung Disease or Bronchial Irritation. * * * Treatment For Relief of Defective Nutrition and for Increasing Strength and General Health where Mucous Membranes are Susceptible to Lung Diseases and Pulmonary Disorganization with Bronchial Irritation (In Pre-tubercular Stages) * * *," were false and fraudulent in that the said statements were applied to the article so as to represent falsely and fraudulently, and to create in the minds of purchasers thereof the impression and belief, that the said article was composed of or contained ingredients or combinations of ingredients effective as a remedy for the several diseases, ailments, and afflictions mentioned upon the said labels.

On November 14, 1921, 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.*

10229. Misbranding of olive oil. U. S. * * * v. 56 Cans * * * of Olive Oil. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 15146. I. S. No. 6415-t. S. No. E-3468.)

On July 26, 1921, the United States attorney for the District of New Jersey, 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 56 cans of olive oil, remaining unsold at Hoboken, N. J., alleging that the article had been shipped by Economou & Theodos, New York, N. Y., on or about May 12, 1921, and transported from the State of New York into the State of New Jersey, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Rigoletto Brand Virgin Pure Olive Oil * * * Net Contents 1 Gal. * * *."

Misbranding of the article was alleged in the libel 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, since the stated quantity, to wit, "Net Contents 1 Gal.," was greater than the actual net contents of the said package.

On February 15, 1922, N. P. Economou & Theodos, New York, N. Y., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimants upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the said product be not shipped or sold unless re-branded and properly marked.

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

10230. Adulteration and misbranding of blend sirup. U. S. * * * v. 8 Barrels and 5 Barrels of Blend Sirup * * * Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13020, 13021. I. S. Nos. 917-r, 918-r, 919-r. S. Nos. E-2423, E-2424.)

On July 13, 1920, the United States attorney for the Middle District of Pennsylvania, 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 8 barrels and 5 barrels of blend sirup, remaining in the original unbroken packages at Scranton, Pa., alleging that the article had been shipped by the Cuban Refining Co., Rochester, N. Y., on or about May 14 and 24 and June 3, 1920, respectively, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Shipping package) "Blend Sirup"; (shipping tag) "Order of Cuban Refining Company Rochester N. Y. * * *"