

that the said article contained no ingredients equal to the ingredients of eggs.

On March 3, 1922, 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.*

10345. Misbranding of Deer Lick Springs water. U. S. * * * v. 22 Cases * * * of Deer Lick Springs Water. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 14822. I. S. No. 6526-t. S. No. E-3254.)

On April 22, 1921, the United States attorney for the Southern District of New York, 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 22 cases of Deer Lick Springs water, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped from San Francisco, Calif., on or about December 11, 1920, and transported from the State of California into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Deer Lick Springs Water A Natural Medicine from Mother Earth A Valuable Aid to Physicians in the treatment of Diabetes, Cystitis, Bright's Disease, Acne, Eczema, Rheumatism An Internal Antiseptic * * * Directions: * * * In extreme cases increase dose to six ounces until improvement is noticed. * * * Bottled * * * by California Medicinal Springs Company San Francisco, U. S. A. * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the dissolved mineral matter consisted chiefly of chlorids of sodium, magnesium, and calcium, sulphate and bicarbonate of calcium, and sulphid of sodium.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements appearing on the bottle labels, regarding the curative and therapeutic effects of the said article, were false and fraudulent for the reason that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On March 16, 1922, the California Medicinal Springs Co., San Francisco, Calif., claimant, having admitted the allegations of the libel and 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 claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act, conditioned in part that it be relabeled under the supervision of this department with labels in which the statements, "A Sulphur Water of Exceptional Potency * * * A Natural Tonic," had been substituted for the above-quoted curative and therapeutic claims.

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

10346. Adulteration and misbranding of flavor of lemon and flavor of vanilla. U. S. * * * v. E. M. Matthews Co., Inc., a Corporation. Plea of guilty. Fine, \$20 and costs. (F. & D. No. 15254. I. S. Nos. 8653-t, 8654-t, 9249-t.)

On December 16, 1921, the United States attorney for the Eastern 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 an information against the E. M. Matthews Co., Inc., a corporation, Florence, S. C., alleging shipment by said company, in violation of the Food and Drugs Act, on or about August 9, September 14, and October 25, 1920, respectively, from the State of South Carolina into the States of Virginia and Georgia, respectively, of quantities of flavor of lemon and flavor of vanilla, which were adulterated and misbranded. The articles were labeled in part, respectively: (Carton) "Matthews' Reliable Flavor Of * * * Lemon * * *"; (bottle) "Extract Of * * * Lemon * * * The E. M. Matthews Co., Inc. Florence S. C."; (carton) "Matthews' Reliable Flavor Of * * * Vanilla * * *"; (bottle) "Extract of Vanilla * * *" or "Pure Extract * * * Vanilla * * *"

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the flavor of lemon was a dilute lemon extract strongly colored with turmeric and that the flavor of vanilla was a dilute vanilla extract fortified with vanillin and artificially colored.

Adulteration of the articles was alleged in substance in the information for the reason that substances, to wit, dilute lemon extract artificially colored, or

dilute vanilla extract fortified with vanillin and artificially colored, as the case might be, had been mixed and packed therewith so as to lower and reduce and injuriously affect their quality and strength and had been substituted in part for flavor of lemon and extract of lemon, or flavor of vanilla and extract of vanilla, which the said articles purported to be. Adulteration was alleged in substance for the further reason that the articles were products inferior to flavor of lemon and extract of lemon or flavor of vanilla and extract of vanilla, as the case might be, and were prepared in imitation of flavor of lemon and extract of lemon and colored with turmeric, or were mixtures composed in part of dilute vanilla extract fortified with vanillin and colored with caramel, as the case might be, so as to simulate the appearance of flavor of lemon and extract of lemon, or flavor of vanilla and extract of vanilla, as the case might be, in a manner whereby their inferiority to said articles was concealed.

Misbranding was alleged in substance for the reason that the statements, to wit, "Reliable Flavor of Lemon," "Purity, Strength, Delicacy of Flavor," "Extract of Lemon," and "Flavor of Vanilla, Purity, Strength, Delicacy of Flavor," "Extract Vanilla," and "Pure Extract Vanilla," borne on the labels of the cartons and bottles containing the said articles, as the case might be, regarding the articles and the ingredients and substances contained therein, were false and misleading in that the said statements represented that the articles were flavor of lemon or vanilla and extract of lemon or vanilla, as the case might be, and for the further reason that the said articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they were flavor of lemon or vanilla and extract of lemon or vanilla, as the case might be, whereas, in truth and in fact, they were not, but were mixtures composed in part of dilute lemon extract artificially colored or dilute vanilla extract fortified with vanillin and artificially colored. Misbranding was alleged in substance for the further reason that the articles were mixtures composed in part of dilute lemon extract artificially colored or dilute vanilla extract fortified with vanillin and artificially colored, prepared in imitation of flavor of lemon and extract of lemon or flavor of vanilla and extract of vanilla, as the case might be, and were offered for sale and sold under the distinctive names of other articles, to wit, flavor of lemon and extract of lemon or flavor of vanilla and extract of vanilla.

On March 7, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$20 and costs.

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

10347. Adulteration of shell eggs. U. S. * * * v. O'Daniel-Kennedy-Cummings Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 15587. I. S. No. 1500-t.)

On January 12, 1922, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the O'Daniel-Kennedy-Cummings Co., a corporation, Rutherford, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 21, 1921, from the State of Tennessee into the State of Alabama, of a quantity of shell eggs which were adulterated.

Examination by the Bureau of Chemistry of this department of 360 eggs from the consignment showed the presence of 47, or 13 per cent, inedible eggs, consisting of black rots, mixed or white rots, spot rots, and blood rings.

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

On March 31, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

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

10348. Adulteration and misbranding of tea. U. S. * * * v. 1,120 Packages of King George Flowery Orange Pekoe Ceylon India Tea, et al. Judgment by consent ordering release of the products under bond. (F. & D. Nos. 15631, 15632, 15633, 15634, 15930, 15935, 15938, 15939. I. S. Nos. 9387-t, 9388-t, 9389-t, 9390-t, 9391-t, 9392-t, 9393-t, 9394-t, 9397-t, 9398-t, 9399-t, 9318-t, 9319-t. S. Nos. E-3650, E-3736, E-3737, E-3753.)

On or about December 5, 1921, and February 3 and 6, 1922, the United States attorney for the Eastern District of South Carolina, acting upon reports by