

the original unbroken packages at Atlanta and Gainesville, Ga., or vicinity, alleging that the article had been imported from Vancouver, B. C., by the Kenai Packing Co., Seattle, Wash., and transported from Vancouver, B. C., into the State of Georgia, arriving at Atlanta on or about November 14, 1921, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Case) "* * * Talls Pink Salmon Kenai Packing Co., Drier Bay, Alaska * * *"; (cans) "Kay-Square Brand Select Pink Salmon * * * Keen-Eye Inspection. Fresh Fish. Clean Canneries * * *"

Adulteration of the article was alleged in the libels for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance, to wit, spoiled, putrid, and rotten salmon.

Misbranding was alleged in substance for the reason that the statement appearing in the labeling of both consignments of the article, "Keen-Eye Inspection," and the additional statement, "Fresh Fish," appearing in the labeling of a portion of the said article, and the statement, "Fresh Fish Inspected," appearing in the labeling of the remainder thereof, were false and misleading in that they misled the purchaser and created in the mind of the purchaser the belief that the said article had been carefully inspected and was sound and wholesome as an article of food, whereas, in truth and in fact, it was not.

On March 8, 1922, 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.*

10357. Adulteration of canned stringless beans. U. S. * * * v. 130 Cases * * * of Cut Stringless Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15976. Inv. No. 29831. S. No. E-3771.)

On February 11, 1922, the United States attorney for the Western District of Pennsylvania, 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 130 cases of canned stringless beans, at McKeesport, Pa., alleging that the article had been shipped by the Webster-Butterfield Co., Baltimore, Md., on or about October 17, 1921, and transported from the State of Maryland into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Southern Queen Brand Cut Stringless Beans * * * Packed By Webster-Butterfield Co. Inc., Baltimore, Md."

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

On March 7, 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.*

10358. Misbranding of cane sirup. U. S. * * * v. 4 Dozen Small and 54 Large Cans of Cane Sirup * * *. Judgment by consent finding product to be misbranded and ordering its release under bond. (F. & D. No. 16055. I. S. Nos. 9477-t, 9478-t. S. No. E-3784.)

On February 17, 1922, the United States attorney for the Eastern District of North Carolina, 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 4 dozen small cans and 54 large cans of cane sirup, at Raleigh, N. C., alleging that the article had been shipped by the Blackman-Morris Co., New Orleans, La., on or about January 7, 1922, and transported from the State of Louisiana into the State of North Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Purity Brand Pure Louisiana Cane Syrup * * *"

Misbranding of the article was alleged in substance in the libel for the reason that the respective statements appearing on the labels of the cans containing the said article, to wit, "Net Average Weight 5 Lbs. 2 Oz." (or "9 Lbs. 8 Oz.") "Guaranteed By Blackman-Morris Co. Under Food And Drugs Act, June 30th, 1906," were false and misleading and deceived and misled the purchaser. Misbranding was alleged in substance for the further reason

that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On or about March 13, 1922, the court having found the product to be misbranded as alleged in the libel, and the Blackman-Morris Co., New Orleans, La., having paid the costs of the proceedings and executed a bond in the sum of \$100, in conformity with section 10 of the act, judgment by consent was entered, and it was ordered by the court that the product be released to the said claimant.

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

10359. Adulteration of melon and lemon jam. U. S. * * * v. 1,822 Cases * * * of Melon and Lemon Jam * * *. Judgment of condemnation and forfeiture. Product released under bond. (F. & D. No. 16186. Inv. No. 35451. S. No. E-3786.)

On February 24, 1922, the United States attorney for the District of Massachusetts, 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 1,822 cases of melon and lemon jam, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped from Brooklyn, N. Y., between the dates February 16 and May 5, 1921, and transported from the State of New York into the Commonwealth of Massachusetts, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Melon & Lemon Jam * * * The Rosella Preserving and Manufacturing Co. Ltd., Melbourne, May, '19 Victoria, Australia."

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 vegetable substance.

On March 15, 1922, Eugene B. Harris, Boston, Mass., having entered an appearance as claimant for the property and having filed a satisfactory bond, in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings.

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

10360. Misbranding of Am-O-Lox ointment and Am-O-Lox prescription. U. S. * * * v. Am-O-Lox Co., a Corporation. Plea of nolo contendere. Fine, \$25 and costs. (F. & D. No. 13081. I. S. Nos. 9096-r, 9097-r.)

On November 26, 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 the Am-O-Lox Co., a corporation, Youngstown, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about September 7, 1918, and June 16, 1919, respectively, from the State of Ohio into the State of Missouri, of quantities of Am-O-Lox ointment and Am-O-Lox prescription, respectively, which were misbranded. The articles were labeled in part, respectively: "Am-o-lox Ointment for Eczema And All Skin Diseases * * * Prepared At The Am-O-Lox Laboratories, Youngstown, Ohio, * * *"; and "Am-o-lox Prescription for Eczema And All Diseases Of The Skin And Scalp * * *."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Am-O-Lox ointment was an ointment consisting essentially of zinc oxid, sulphur, phenol, methyl salicylate, and a small amount of an anilin dye in a base composed of a petroleum product (petrolatum and paraffin) and a waxy material; and that the Am-O-Lox prescription consisted essentially of glycerin, phenol, salicylic acid, methyl salicylate, anilin dye, alcohol, and water.

Misbranding of the articles was alleged in substance in the information for the reason that certain statements appearing on the cans and envelopes containing the Am-O-Lox ointment and on the cartons and bottles containing the Am-O-Lox prescription and in certain circulars accompanying both, falsely and fraudulently represented the former to be effective, when used in connection with Am-O-Lox soap and Am-O-Lox solution, as a treatment, remedy, and cure for eczema and all skin diseases, salt rheum, tetter, eczema of the hands, infantile eczema, psoriasis, eczema of the scalp, dandruff, falling out of hair and all diseases of the scalp, barber's itch, ring worm, pim-