

Fl. Ozs.," and the statement on 46 cans of the product, "Contents  $\frac{1}{4}$  Gallon" or "30 Fl. Ozs.," were false and misleading in that the contents of each of the cans was not one full half gallon or one full fourth gallon, as the case might be, but only a part thereof. Misbranding was alleged for the further reason that the article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight or measure, but that said packages were so marked as to deceive and mislead the purchaser, and 41 of said cans purported to contain a full half gallon and 46 of said cans purported to contain a full one-fourth gallon, whereas, in truth and in fact, each of said 41 cans did not contain a full half gallon and each of said 46 cans did not contain a full one-fourth gallon.

On July 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 sold at public auction by the United States marshal and that before delivering the same to any purchaser he should require said purchaser to relabel the cans so as to show the true quantity of olive oil therein before offering the same for sale.

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

**10677. Misbranding of The Healing Springs Water. U. S. \* \* \* v. 9 Cases \* \* \* The Healing Springs Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16361. I. S. No. 15520-t. S. No. E-3889.)**

On June 3, 1922, 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 9 cases containing bottles of The Healing Springs Water at New York, N. Y., alleging that the article had been shipped on or about May 14, 1922, by the Virginia Hot Spring Co., Hot Springs Va., and transported from the State of Virginia 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, "A medicinal water recommended in the case of gout, rheumatism, insomnia, kidney and bladder troubles and for the nervous system."

Analysis of a sample of the water by the Bureau of Chemistry of this department showed that it was a moderately mineralized water, the principal dissolved constituents being bicarbonates of calcium and magnesium and sulphate of magnesium.

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 article, were false and fraudulent for the reason that said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed for it, and for the further reason that said article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 4, 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.*

**10678. Adulteration of chloroform. U. S. \* \* \* v. 31 Tins of Chloroform. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16476. Inv. Nos. 41311, 41312, 41313, 41314, 41315, 41316, 41317. S. No. E-3990.)**

On June 28, 1922, the United States attorney for the District of Maine, 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 31 tins of chloroform, remaining in the original unbroken packages at Westbrook, Me., alleging that the article had been shipped on or about April 11, and May 9, 1922, by the Stollor Chemical Co., Inc., New York, N. Y., and transported from the State of New York into the State of Maine, and charging adulteration in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in substance in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia [official] at the time of investigation, and for the further reason that the standard of strength, quality, or purity of said drug was not plainly stated upon the containers of the same.