

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of 63 per cent of gypsum, 8 per cent of sulphur, and 29 per cent of wheat flour.

It was alleged in substance in the libels that the article was misbranded for the reason that the following statements appeared on the labels of the cans containing the said article, "* * * Heave Compound * * * For Heaves * * * and Wind Diseases in Horses * * * heaving should gradually disappear. * * * continue treatment * * * until heaving entirely disappears. For an average case of heaves * * * in more obstinate cases * * *," whereas it contained no ingredients or combination of ingredients capable of producing the curative and therapeutic effect claimed.

On September 30 and October 25, 1921, respectively, 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. F. MARVIN, *Acting Secretary of Agriculture.*

11004. Adulteration of oranges. U. S. v. 404 Cases of Oranges. Decree by consent ordering release of product under bond to be salvaged. Product destroyed. (F. & D. No. 16178. I. S. No. 12428-t. S. No. C-3528.)

On March 24, 1922, the United States attorney for the Eastern District of Oklahoma, 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 404 cases of oranges, remaining unsold in the original unbroken packages at Ardmore, Okla., alleging that the article had been shipped by the Randolph Marketing Co., from Redlands, Calif., on or about March 11, 1922, and transported from the State of California into the State of Oklahoma, and charging adulteration in violation of the Food and Drugs Act. The article was labeled variously in part: "Randolph Special, Washington Navel Brand Packed by Randolph Fruit Company, Redlands, California;" "Geranium Brand, Washington Navel;" "Randolph Special Medium Sweet Brand;" "Geranium Medium Sweet Brand;" "Randolph Special Saint Michaels Brand."

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

On March 27, 1922, the Randolph Marketing Co., Los Angeles, Calif., having entered an appearance as claimant for the property and having admitted the allegations of the libel, judgment of the court was entered ordering that the product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act, conditioned in part that it be shipped to Chicago, Ill., to be salvaged under the supervision of this department. The product was found unfit for use and was destroyed.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11005. Adulteration of butter. U. S. v. 315 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16687. I. S. Nos. 3757-v, 3759-v S. No. C-3742.)

On July 31, 1922, the United States attorney for the Northern District of Illinois, 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 315 tubs of butter, remaining unsold in the original packages at Chicago, Ill., alleging that the article had been shipped by the North American Creamery Co., Paynesville, Minn., July 13, 1922, and transported from the State of Minnesota into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, excessive water, had been mixed and packed with the said article so as to reduce and lower and injuriously affect its quality and strength, for the further reason that a substance deficient in milk fat and high in moisture had been substituted in part for the said article, and for the further reason that a valuable constituent of the article, to wit, butter fat, had been in part abstracted therefrom.

On August 29, 1922, the North American Creamery Co., Paynesville, Minn., having entered an appearance as claimant for the property and having admitted the material allegations of the libel and consented to the entry of 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 \$1,000, in

conformity with section 10 of the act, conditioned in part that the said product be reprocessed in such manner as to remove the excess water, under the supervision of this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11006. Adulteration and misbranding of butter. U. S. v. 34 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16514. I. S. No. 1507-v. S. No. E-4164.)

On September 5, 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 of information for the seizure and condemnation of 34 tubs of butter, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Lisbon Creamery, Lisbon, N. Dak., on or about August 1, 1922, and transported from the State of North Dakota into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, excessive water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for butter, which the said article purported to be, and for the further reason that a valuable constituent of the said article, to wit, butter fat, had been in part abstracted.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article, to wit, butter.

On October 17, 1922, the Lisbon Creamery Co., Lisbon, N. Dak., 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 might be released to the said claimant upon payment of the costs of the proceedings.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11007. Adulteration and misbranding of flour. U. S. v. 205 Sacks and 205 Sacks of Flour. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 16596, 16604. I. S. Nos. 14060-t, 14061-t. S. Nos. W-1147, W-1151.)

On July 7 and 8, 1922, respectively, the United States attorney for the Southern District of California, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 410 sacks of flour, remaining in the original unbroken packages at Los Angeles, Calif., consigned by the Rose City Flour Mills, St. Johns, Oreg., alleging that the article had been shipped from St. Johns, Oreg., on or about June 27, 1922, and transported from the State of Oregon into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. A portion of the article was labeled in part: "Snowdrop Pastry & Family Flour Allen Flour Company San Francisco—Los Angeles, Cal. Net weight 98 Lbs. when Packed Snowdrop." The remainder of the article was labeled in part: "Allen's Short Pastry Flour Manufactured for Allen Flour Company San Francisco—Los Angeles, Calif. Bleached 98 Lbs. Short Pastry.

Adulteration was alleged in the libel with respect to a portion of the article for the reason that water had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged with respect to all of the said article for the reason that the statement, "98 Lbs.," appearing on the sacks containing a portion of the article, and the statement, "Allen Flour Company San Francisco—Los Angeles, * * * 98 Lbs.," appearing on the remainder of the said sacks, were false and misleading and deceived and misled the purchaser. Misbranding was alleged 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 packages.

On July 11, 1922, the Allen Flour Co., San Francisco, Calif., having entered an appearance as claimant for the property, judgments of condemnation and forfeiture were 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 bonds in the aggregate sum of \$3,000, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*