

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 deposit of \$500 in cash or the execution of a bond in the sum of \$500, conditioned that the product should not be sold or otherwise disposed of contrary to the provisions of the said act.

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

11087. Adulteration and misbranding of flour. U. S. v. 325 Sacks of Flour. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16631. I. S. No. 14057-t. S. No. W-1155.)

On July 15, 1922, the United States attorney for the District of Oregon, 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 325 sacks of flour, remaining in the original unopened sacks at Portland, Oreg., alleging that the article had been shipped by the Montana Flour Mills Co., Great Falls, Mont., March 30, 1922, and transported from the State of Montana into the State of Oregon, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Montana Flour Mills Co. Sapphire * * * Matured Bleached 49 Lbs. Net Sapphire Flour."

Adulteration of the article was alleged in the libel for the reason that excessive water had been so mixed and packed with and substituted wholly or in part for normal flour of good commercial quality as to reduce and lower and injuriously affect the quality of the said flour.

Misbranding was alleged for the reason that the statement, "49 Lbs.," borne on the sacks containing the article, was 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 package.

On September 2, 1922, the Montana Flour Mills Co., Great Falls, Mont., claimant, having 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.

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

11088. Adulteration of eggs. U. S. v. 406 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16679. I. S. No. 3754-v. S. No. C-3705.)

On July 13, 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 406 cases of eggs, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by J. H. Cheatham, Bucklin, Kans., June 28, 1922, and transported from the State of Kansas 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 it consisted in part of a filthy animal substance, for the further reason that it consisted in part of a decomposed animal substance, and for the further reason that it consisted in part of a putrid animal substance.

On July 14, 1922, the Ralph Hurst Co., Chicago, Ill., claimant, 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 it be recandled under the supervision of this department, the bad portion destroyed and the good portion delivered to the claimant.

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

11089. Misbranding of apples. U. S. v. 175 Barrels of Apples. Decree ordering release of product under bond. (F. & D. No. 16815. I. S. No. 2008-v. S. No. E-4188.)

On September 14, 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 175 barrels of apples, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by Samuel Rinelli, Lockport, N. Y., on or about August 31, 1922, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "New York Standard A. Grade * * * Samuel Rinelli, Lockport, N. Y., Maiden Blush, New York State S. R. Apples."

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 in terms of weight, measure, or numerical count.

On October 2, 1922, Samuel Rinelli, Lockport, N. Y., having appeared and filed an answer to the libel admitting the material allegations of the said libel, judgment of the court was entered ordering that the product be released to Comella & Badali, Pittsburgh, Pa., upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, by said Samuel Rinelli, in conformity with section 10 of the act, conditioned in part that it be re-branded to the satisfaction of this department.

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

11090. Adulteration of oysters. U. S. v. LeRoy Marvin Langrall, Ernest Hooper Langrall, and Harrison Morton Langrall (Baltimore Canning Co.). Pleas of guilty. Fine, \$150 and costs. (F. & D. No. 16408. I. S. No. 6035-t.)

On November 8, 1922, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against LeRoy Marvin Langrall, Ernest Hooper Langrall, and Harrison Morton Langrall, copartners, trading as the Baltimore Canning Co., Baltimore, Md., alleging shipment by said defendants in violation of the Food and Drugs Act, on or about November 3, 1921, from the State of Maryland into the State of Pennsylvania, of a quantity of oysters which were adulterated. The article was labeled in part: "From Baltimore Canning Co. Old Scout Brand Oysters Baltimore Maryland."

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been substituted in part for the said article.

On November 8, 1922, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$150 and costs.

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

11091. Misbranding of Parry's vegetable compound. U. S. v. 4 Bottles of No. 6 and 2 Bottles of No. 1 Parry's Vegetable Compound. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 14455. I. S. No. 2485-t. S. No. C-2798.)

On February 17, 1921, the United States attorney for the District of Indiana, 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 bottles of No. 6 and 2 bottles of No. 1 Parry's vegetable compound, remaining in the original unbroken packages at Elwood, Ind., alleging that the articles had been shipped by the Parry Medicine Co., Pittsburgh, Pa., on or about July 30, 1920, and transported from the State of Pennsylvania into the State of Indiana, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part: (Both products) "All goods guaranteed under the Pure Food and Drugs Act, June 30, 1906;" (Parry's Vegetable Compound No. 6) "Cancer * * * for Eczema, Pimples, Skin Disease, Scalds, Burns and Smallpox;" (Parry's Vegetable Compound No. 1) "Cancer * * * for Tuberculosis, Lungs, Bones or Flesh, Gallstones or Tapeworm."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that they consisted of olive oil, alcohol, and water, flavored with various essential oils.

Misbranding of the articles was alleged in substance in the libel for the reason that the above-quoted statements appearing in the labeling were false and misleading, and for the further reason that the said statements, with