

"Made exclusively from High Grade Cotton Seed Meal and Bolted Hull Bran," borne on the tags attached to the sacks containing the cottonseed feed, and the statements, to wit, "Cotton Seed Meal Guaranteed Analysis * * * Protein 36.00% * * * Crude Fibre 15.00% * * * Equivalent Nitrogen 5.75% Made from Pressed Cotton Seed," borne on the tags attached to the sacks containing the alleged cottonseed meal, regarding the articles and the ingredients and substances contained therein, were false and misleading in that the said statements represented that the said cottonseed feed contained not less than 20 per cent of protein and not more than 22 per cent of fiber and that it consisted exclusively of cottonseed meal and bolted hull bran, and that the alleged cottonseed meal was cottonseed meal, that it contained not less than 36 per cent of protein, not more than 15 per cent of crude fiber, not less than 5.75 per cent of equivalent nitrogen, and that it was prepared from pressed cotton seed, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said cottonseed feed contained not less than 20 per cent of protein and not more than 22 per cent of fiber and that it consisted exclusively of cottonseed meal and bolted hull bran, and that the alleged cottonseed meal was cottonseed meal, that it contained not less than 36 per cent of protein, not more than 15 per cent of crude fiber, and not less than 5.75 per cent of equivalent nitrogen, and that it was prepared from pressed cotton seed, whereas, in truth and in fact, the said articles contained less protein and more fiber than declared on the labels, and the said cottonseed feed did not consist exclusively of cottonseed meal and bolted hull bran but did consist in part of ground cottonseed hulls, and the alleged cottonseed meal was not cottonseed meal and was not prepared from pressed cotton seed but was a mixture composed of cottonseed hulls and cottonseed meal, and it did contain less than 5.75 per cent of equivalent nitrogen.

On April 9, 1923, pleas of nolo contendere to the informations were entered on behalf of the defendant company, and the court imposed fines in the aggregate amount of \$150.

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

11411. Adulteration and misbranding of vinegar and alleged adulteration and misbranding of Cido. U. S. v. Edward H. Ransing and Paul C. Ransing (Lancaster Vinegar Co.). Plea of nolo contendere with respect to counts 3, 4, 5, and 6 involving vinegar. Fine, \$100. Demurrer to counts 1 and 2 involving Cido. Demurrer sustained. (F. & D. No. 14324. I. S. Nos. 16715-r, 16717-r, 16718-r.)

On April 26, 1921, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Edward H. Ransing and Paul C. Ransing, trading as the Lancaster Vinegar Co., Lancaster, Pa., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about March 29, 1920, from the State of Pennsylvania into the State of Maryland, of quantities of vinegar which was adulterated and misbranded, and on or about April 1, 1920, from the State of Pennsylvania into the State of West Virginia, of a quantity of Cido which was alleged to have been adulterated and misbranded. The articles were labeled in part, respectively: "Color Certified Cido * * * Lancaster Vinegar Co. E. A. Ransing's Sons;" "Lancaster Vinegar Co. Lancaster, Pa. * * * Pure Apple Vinegar."

Analyses of samples of the vinegar by the Bureau of Chemistry of this department showed that it was prepared from dried apple products and was deficient in acid strength. Analysis of a sample of the Cido by said bureau showed that it was an imitation cider, colored with caramel.

Adulteration of the Cido was alleged in the information for the reason that a substance other than cider, artificially colored, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and strength and had been substituted in part for Cido, to wit, cider, which the said article purported to be. Adulteration was alleged for the further reason that the article was a mixture composed in part of a substance other than cider, prepared in imitation of cider, and was colored with caramel so as to simulate the appearance of cider and in a manner whereby its inferiority to cider was concealed.

Misbranding of the Cido was alleged for the reason that the statement, to wit, "Cido," borne on the barrel containing the article, regarding the said article and the ingredients and substances contained therein, was false and misleading

in that it represented that the said article was, to wit, cider, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was, to wit, cider, whereas, in truth and in fact, it was not cider but was a product composed in part of a substance other than cider.

Adulteration of the vinegar was alleged for the reason that a mixture prepared from dried apple products, which contained excessive added water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in part for pure apple vinegar, which the said article purported to be.

Misbranding of the said vinegar was alleged for the reason that the statement, to wit, "Pure Apple Vinegar," borne on the barrel containing the article, regarding the said article and the ingredients and substances contained therein, was false and misleading in that the said statement represented that the article consisted wholly of pure apple vinegar, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of pure apple vinegar, whereas, in truth and in fact, it did not so consist but did consist in part of a mixture prepared from dried apple products, which contained excessive added water.

On June 16, 1921, the defendants entered pleas of nolo contendere to counts 3, 4, 5, and 6 of the information involving the adulteration and misbranding of the vinegar, and filed a demurrer and motion to quash as to counts 1 and 2 involving the Cido, and the court imposed a fine in the amount of \$100 with respect to said counts 3, 4, 5, and 6. On December 21, 1922, the demurrer to counts 1 and 2 was argued before the court and on January 22, 1923, with the consent of the United States attorney, the demurrer was sustained.

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

11412. Misbranding of Jad brand salts. U. S. v. 23½ Dozen Bottles, et al., of Jad Brand Salts. Default decrees of condemnation, forfeiture, and destruction. (E. & D. Nos. 16520, 16521, 16522, 16523, 16524, 16525, 16526. I. S. Nos. 1015-v, 1017-v, 1018-v, 1019-v, 1255-v, 1256-v, 1257-v, 1258-v, 1259-v. S. Nos. E-4219, E-4220, E-4221, E-4222, E-4223, E-4224, E-4225.)

On November 14, 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 libels praying the seizure and condemnation of 168½ dozen bottles of Jad brand salts, remaining in the original unbroken packages at Baltimore, Md., consigned between the dates of July 14 and October 14, 1922, alleging that the article had been shipped by the Wyeth Chemical Co., in part from New York, N. Y., and in part from Detroit, Mich., and transported from the States of New York and Michigan into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton and bottle) "* * * possessing Antacid, Anti-Rheumatic, Kidney Diuretic * * * Stomach Sweetening, and Anti-Lithic properties;" (bottle) "To assist in flushing the Kidneys and thereby increasing elimination of urinous waste products such as uric acid and urea, take a tablespoonful * * * and put it in a half glass of hot or cold water and drink while effervescing, each morning before breakfast. * * * Besides its beneficial action upon the Kidneys, it also assists in keeping * * * the stomach sweet." A portion of the article was further labeled in part: (Booklet) "Jad Salts For Relief of the Kidneys * * * The formula of Jad Salts is plainly stated on the label, so that the intelligent man or woman can see if it is adapted to the ailment or condition from which relief is sought. There is used in its preparation the natural fruit salts from grapes and lemons, and these are combined with lithium carbonate, sodium bicarbonate and potassium bicarbonate for their antilethic value and neutralizing effects. * * * The object of flushing the kidneys with Jad Salts is to aid Nature in getting rid of any excess of uric acid or acid waters that may have accumulated in the blood, partly as the result of overindulgence in meat diet or the taking of two [too] little physical exercise. Every vigorous man and woman needs such treatment now and then, if for no other reason than to keep the eliminative organs in a healthy state. The mere taking of physic will not accomplish this. Jad Salts is just the medicine to use in all such cases. For Rheumatic Twinges If you have headache, dizziness, backache, rheumatic twinges, or pains in your joints or in the muscles of the body or limbs, try a few doses of Jad Salts. You will be happy over the result and your bodily condition will be improved. If your urine is scanty, highly-colored, or loaded with sediment after standing overnight, try a few days' treatment with Jad Salts."