

**11973. Adulteration of canned sardines. U. S. v. 8 Cases and 9 Cases of Sardines. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 17866, 17867. I. S. Nos. 1951-v, 1952-v. S. Nos. E-4506, E-4507.)

On October 22, 1923, 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 libels of information praying the seizure and condemnation of 17 cases, each containing 100 tins of sardines, at North Adams, Mass., alleging that the article had been shipped by the Columbian Canning Co., from Lubec, Me., in part on or about February 28 and in part on or about August 1, 1923, and transported from the State of Maine into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled in part: (Can) "Champion Brand American Sardines In Cotton Seed Oil Packed And Guaranteed By The Columbian Canning Co. Washington Co. Lubec, Maine." The remainder of the article was labeled in part: (Can) "Vender Brand American Sardines \* \* \* Packed By Columbian Canning Co. Lubec, Washington Co., Me."

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 animal substance.

On December 17, 1923, 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.*

**11974. Adulteration of chestnuts. U. S. v. 16 Bags of Chestnuts. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 18117. I. S. No. 2893-v. S. No. E-4616.)

On November 28, 1923, 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 a libel praying the seizure and condemnation of 16 bags of chestnuts, at Philadelphia, Pa., consigned by S. G. Conduff & Son, Willis, Va., alleging that the article had been shipped from Vinton, Va., on or about October 20, 1923, and transported from the State of Virginia into the State of Pennsylvania, 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 whole or in part of a filthy, decomposed, and putrid vegetable substance.

On December 18, 1923, 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. F. MARVIN, *Acting Secretary of Agriculture.*

**11975. Adulteration of chestnuts. U. S. v. 25 Sacks of Chestnuts. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 18115. I. S. No. 2894-v. S. No. E-4617.)

On November 26, 1923, 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 a libel praying the seizure and condemnation of 25 sacks of chestnuts, at Philadelphia, Pa, consigned by John Shartzler, Oakland, Md., alleging that the article had been shipped from Tunnelton, W. Va., on or about October 20, 1923, and transported from the State of West Virginia into the State of Pennsylvania, 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 whole or in part of a filthy, decomposed, and putrid vegetable substance.

On December 18, 1923, 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. F. MARVIN, *Acting Secretary of Agriculture.*

**11976. Adulteration of canned salmon. U. S. v. 25 Cases of Salmon. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 18133. I. S. No. 911-v. S. No. E-4627.)

On December 1, 1923, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district a libel praying the seizure and condemnation of 25 cases of salmon, at Cuthbert, Ga., alleging that the article had been shipped by the Hidden Inlet Canning Co., from Seattle, Wash., on or about October 15, 1923, and transported from the State of Washington into the State of Georgia, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Steamboat Brand \* \* \* Pink Alaska Salmon Packed By Hidden Inlet Canning Co. Main office: Seattle, Wash."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of filthy, decomposed, and putrid animal substance.

On December 7, 1923, 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. F. MARVIN, *Acting Secretary of Agriculture.*

**11977. Adulteration and misbranding of minced clams. U. S. v. 55 Cases and 40 Cases of Minced Clams. Product released under bond to be relabeled.** (F. & D. Nos. 17394, 17395. I. S. Nos. 8292-v, 8293-v. S. Nos. W-1359, W-1360.)

On March 20, 1923, 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 praying the seizure and condemnation of 95 cases of minced clams, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by Younglove Grocery Co., from Tacoma, Wash., February 10, 1923, and transported from the State of Washington into the State of Oregon, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Far-North Ocean Clams (Minced) 10 Oz. Net Contents \* \* \* Packed By Polar Fisheries Co. Alaska Main office: Seattle, Wash."

Adulteration of the article was alleged in the libel for the reason that excessive brine or liquor had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for normal minced clams of good commercial quality.

Misbranding was alleged for the reason that the statement, "Clams (Minced)," was false and misleading and deceived and misled the purchaser.

On May 10, 1923, the International Sales & Produce Co., Portland, Oreg., having appeared as claimant for the property, a decree of the court was entered providing for the release of the product under bond to be relabeled.

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

**11978. Misbranding of Trask's ointment. U. S. v. D. Ransom, Son & Co., a Corporation. Plea of nolo contendere. Fine, \$25.** (F. & D. No. 15054. I. S. No. 5816-t.)

On September 6, 1921, the United States attorney for the Western 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 an information against D. Ransom, Son & Co., a corporation, Buffalo, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about July 19, 1920, from the State of New York into the State of Pennsylvania, of a quantity of Trask's ointment which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product consisted of extracts of plants, including tobacco and Lobelia, mixed with fat.

Misbranding of the article was alleged in substance in the information for the reason that certain statements regarding its therapeutic and curative effects, appearing on the labels of the wrappers and in the circulars accompanying the said article, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for catarrh, painful rheumatic affections, lumbago, lameness, sprains, neuralgia, nervous headache, scaly scalp affections, ulcers, sore throat, pleuritic and pulmonary affections, painful abdominal affections, eczema, sore eyes, articular and glandular swellings, eruptive diseases during eruption, milk leg, goiter (swelled neck), piles, hemorrhoids, chest troubles, minor affections of the lungs, protracted coughs, throat troubles, nasal catarrh, abdominal troubles, serious bowel affections, appendicitis, skin disorders, abscesses, eruption and itching in scarlet fever and smallpox, when, in truth and in fact, it was not.

On March 25, 1923, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

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