

and condemnation of 950 sacks of ground mixed feed remaining in the original unbroken packages at Richmond, Va., alleging that the article had been shipped by the Cokato Milling Co. from Minneapolis, Minn., on or about October 18, 1923, and transported from the State of Minnesota into the State of Virginia, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Tag) "Ajax Ground Mixed Feed Barley \* \* \* Protein 11% \* \* \* Manufactured by Cokato Milling Co. Minneapolis, Minn."

Adulteration of the article was alleged in the libel for the reason that a product deficient in protein and containing oats and screenings had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and had been substituted in whole and in part for mixed feed barley, which the said article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Ground Mixed Feed Barley \* \* \* Protein 11%," borne on the labels, were false and misleading in that the said statements represented that the article was ground mixed feed barley and contained 11 per cent of protein, whereas it was not ground mixed feed barley but was a mixture containing oats and screenings and did not contain 11 per cent of protein but contained a less amount. Misbranding was alleged for the further reason that the statements, "Ground Mixed Feed Barley \* \* \* Protein 11%," would deceive and mislead the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On May 26, 1924, the Cokato Milling Co., Minneapolis, Minn., having appeared as claimant for the property and having executed a bond in the sum of \$500, in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product be released to the claimant, conditioned in part that the said product be relabeled.

HOWARD M. GORE, *Secretary of Agriculture.*

**12584. Adulteration of canned salmon. U. S. v. 1,114 Cases and 245 Cases of Canned Salmon. Consent decrees of condemnation and forfeiture. Product released under bond, to be salvaged.** (F. & D. Nos. 17187, 17195. I. S. Nos. 8320-v, 8324-v. S. Nos. W-1287, W-1298.)

On January 19 and 25, 1923, respectively, the United States attorney for the Western District of Washington, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 1,359 cases of canned salmon remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Alaska Sanitary Packing Co. from Wrangell, Alaska, in part August 22, 1922, and in part September 14, 1922, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Cute Boy Brand Pink Salmon \* \* \* Packed by Alaska Sanitary Packing Co. Wrangell, Alaska. Main Office Seattle, Wash."

Adulteration of the article was alleged in the libels for the reason that it consisted wholly or in part of a decomposed and putrid animal substance.

On June 3, 1924, the Alaska Sanitary Packing Co., Seattle, Wash., claimant, having admitted the allegations of the libels and consented to the entry of decrees, 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, conditioned in part that the bad portion be separated from the good portion under the supervision of this department and the bad portion destroyed.

HOWARD M. GORE, *Secretary of Agriculture.*

**12585. Adulteration of butter. U. S. v. 56 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond, to be reworked.** (F. & D. No. 18851. I. S. No. 12861-v. S. No. E-4887.)

On July 14, 1924, 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 praying the seizure and condemnation of 56 tubs of butter remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Five Points Creamery Co., Durango, Iowa, on or about July 1,

1924, and transported from the State of Iowa into the State of New York, 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 deficient in butterfat had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted in part for the said article.

On August 2, 1924, Ficken, Coffin & Co. (Inc.), New York, N. Y., claimant, having admitted the 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 \$1,400, in conformity with section 10 of the act, conditioned in part that it be reworked under the supervision of this department.

HOWARD M. GORE, *Secretary of Agriculture.*

**12586. Misbranding of Smith's buchu lithia pills. U. S. v. 118 Boxes, et al., of Buchu Lithia Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 17962, 17963, 17964, 17965. S. Nos. E-4521, E-4522, E-4525.)**

On November 8, 1923, the United States attorney for the Northern 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 libels praying the seizure and condemnation of 263 boxes of Smith's buchu lithia pills in various lots at Albany, Syracuse, and Troy, N. Y., respectively, alleging that the article had been shipped by C. F. Smith, Boston, Mass., between the dates of August 29 and October 3, 1923, and transported from the State of Massachusetts 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: (Box label and circular) "For Rheumatism and All Diseases of the Kidneys, Blood and Urinary Organs, Bright's Disease, Congestion of the Kidneys, Bladder Troubles, Dropsical Swellings, Cystitis, Nephritis, Diabetes, Nervous Debility, Malaria, Gout, Neuralgia, Sciatica, etc., Gravel, Stone in the Bladder, Pain in Back, Lumbago, etc., Sleeplessness, Nervousness, Female Complaints and Irregularities, And all Blood Impurities Due to Defective Action of the Kidneys \* \* \* Uric Acid Solvent"; (circular) "specific for Rheumatism and all diseases of the Kidneys and Bladder \* \* \* by removing the cause \* \* \* will cure finally any curable case \* \* \* pale, sallow complexion, headache, dyspepsia, \* \* \* and a long train of diseases. \* \* \* They cure rheumatism, because they cure the kidneys \* \* \*" (testimonials) "\* \* \* permanently cured of obstinate kidney trouble and backache \* \* \* completely cured of kidney trouble, backache and urinary trouble \* \* \* sure cure for kidney trouble \* \* \* the best remedy for weak kidneys \* \* \* recommend them to anyone with suppression or stoppage of urine." "For Backache, Inflammation of the Kidneys, \* \* \* Bladder \* \* \* Dropsy, Whites or Leucorrhœa \* \* \* Loss of Sleep, Lost Vitality, Painful Menstruation, \* \* \* Catarrh of the Bladder, Incontinence of Urine or Inability to Hold Water \* \* \* In all old or chronic cases \* \* \* to remove the uric acid \* \* \* strengthen the kidneys and bladder and purify the blood \* \* \* permanent cures will certainly be the result \* \* \* If your case is chronic continue their use \* \* \* they will cure any case"; (additional circular) "Remove acid and keep kidneys and bladder healthy."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product was an iron oxide-coated pill containing powdered licorice, extracts of plant drugs, including uva ursi and podophyllum, sodium, potassium, lithium and magnesium compounds, including nitrate and citrate, and soap.

Misbranding of the article was alleged in the libels for the reason that the above-quoted statements appearing in the labeling, regarding the curative and therapeutic effect of the said article, were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 15 and 28, 1924, 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.

HOWARD M. GORE, *Secretary of Agriculture.*