

drugs act as amended. The article was labeled in part on the carton: "Nerve Strengthening Tonic \* \* \* Glycero-Celery Tonic will be found most useful \* \* \* the treatment of General Debility, Nervous Prostration, Insomnia, Anaemia, Neuralgia, Diabetes, Female Weakness, Etc. \* \* \* for building up the system and for stimulating a healthy increase in weight, strength and vitality," and on the bottles as hereinafter set forth.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted of potassium bromide, glycerin, extracts of plant drugs, sugar, alcohol, and water, and was flavored with volatile oils.

Misbranding of the article was alleged in the libel for the reason that the following statements borne on the bottle label, regarding the curative and therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "System Builder and a valuable preparation for promoting a healthy increase in Weight Strength Vitality Useful in the treatment of Nervous Prostration, Debility Insomnia, Anaemia, Neuralgia Diabetes, Female Weakness, Etc."

On May 22, 1925, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**14110. Adulteration and misbranding of cottonseed meal. U. S. v. 373 Sacks of Cottonseed Meal. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20790. I. S. No. 8702-x. S. No. E-5618.)**

On January 23, 1926, 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 praying the seizure and condemnation of 373 sacks of cottonseed meal, remaining in the original unbroken packages at Gardner, Mass., alleging that the article had been shipped by the Cheraw Oil & Fertilizer Co., Cheraw, S. C., and transported from the State of South Carolina 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 it contained a substance low in protein (ammonia), which had been substituted wholly or in part for the said article, and had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged for the reason that the label bore a statement regarding the article or the ingredients or substances contained therein as follows: (Tag) "Cotton Seed meal guaranteed analysis protein 43," which statement was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that it was offered for sale under the distinctive name of another article.

On February 19, 1926, W. N. Potter & Sons, Inc., Greenfield, Mass., having appeared as claimant for the property and having admitted the allegations of the libel, 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 \$1,600, conditioned in part that it be relabeled under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**14111. Misbranding and alleged adulteration of canned tomatoes. U. S. v. 775 Cases and 45 Cases of Canned Tomatoes. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 20184, 20231. I. S. Nos. 24788-v, 24789-v. S. Nos. C-3022, C-3023-a.)**

On or about July 28 and August 5, 1925, the United States attorney for the Southern District of Texas, 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 820 cases of canned tomatoes, in part at Corpus Christi, Tex., and in part at Houston, Tex., alleging that the article had been shipped by the Theobald, Berger Co., from Los Angeles, Calif., on or about December 30, 1924, and transported from the State of California into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Case) "Sugarland Brand Tomatoes With Puree," (can) "Sugarland Brand Tomatoes Highest Quality."

Adulteration of the article was alleged in the libels for the reason that tomatoes with puree from trimmings had been mixed and packed with and substituted in part for the said article.

Misbranding was alleged for the reason that the statement "Sugarland Brand Tomatoes Highest Quality," borne on the labels, was false and misleading and deceived and misled the purchaser.

On January 6 and 19, 1926, respectively, George W. Wilson Co., Inc., San Antonio, Tex., having appeared as claimant for the property and having consented to the entry of decrees, judgments of the court were entered, finding the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$3,250, conditioned in part that it not be sold or disposed of in violation of the law.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**14112. Adulteration of canned eggs. U. S. v. 1,341 Cans of Eggs, et al. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. Nos. 20778, 20787, 20788, 20791. I. S. Nos. 1674-x, 1675-x, 12076-x to 12084-x, incl., 12086-x, 12087-x, 12088-x. S. Nos. C-4935 to C-4938, incl.)

On January 20 and 23, 1926, the United States attorney for the Northern District of Illinois, 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 1,341 cans of frozen whole eggs and 1,721 cans of frozen whole eggs, remaining in the original unbroken packages at Chicago Ill., alleging that the article had been shipped by R. W. Winsler, from Moravia, Iowa, between the dates of May 15 and October 28, 1925, and transported from the State of Iowa into the State of Illinois, and charging adulteration in violation of the food and drugs act.

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

On February 4, 1926, the cases having been consolidated into one cause of action and R. W. Winsler, Moravia, Iowa, claimant, having admitted the allegations of the libels and 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, conditioned in part that it be salvaged under the supervision of this department and the bad portion denatured.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**14113. Adulteration and misbranding of assorted jellies. U. S. v. 99 Cases of Assorted Jellies. Consent decree of condemnation and forfeiture. Products released under bond.** (F. & D. No. 20095. I. S. Nos. 20397-v to 20401-v, incl. S. No. W-1718.)

On June 1, 1925, the United States attorney for the Northern District of California, 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 99 cases, each containing 48 jars, of assorted jellies, remaining in the original unbroken packages at San Francisco, Calif., alleging that the articles had been shipped by the Everett Fruit Products Co., from Everett, Wash., April 29, 1925, and transported from the State of Washington into the State of California, and charging adulteration and misbranding in violation of the food and drugs act. The articles were labeled in part: (Jar) "My-T-Fine Apple Strawberry" (or "Apple Raspberry" or "Apple Blackberry" or "Apple Loganberry" or "Apple") "Jelly Everett Fruit Products Co. Everett, Wash. 6 Ozs."

Adulteration was alleged in the libel with respect to the strawberry, raspberry, and loganberry flavored jellies for the reason that artificially colored and acidified apple pectin jellies had been substituted wholly or in part for the said articles. Adulteration was alleged with respect to the strawberry, raspberry, loganberry, and blackberry flavored jellies for the reason that they were colored in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the statements "Apple Strawberry" (or "Apple Raspberry," "Apple Blackberry," "Apple Loganberry," as the case might be) "Jelly," "Apple Jelly," and "6 Ozs.," borne on the labels,