

shipped by McNeil & Co., from Carpentersville, Ill., in various consignments on July 22, September 16, October 31, and November 25, 1925, respectively, and transported from the State of Illinois into the State of Wisconsin, and charging adulteration and misbranding in violation of the food and drugs act as amended. The articles were labeled in part: (Jar) "Sunny South Brand Apple Pectin Currant" (or "Strawberry" or "Raspberry" or "Grape") "Jelly Net weight 6 Ounces." The raspberry and grape jellies were further labeled: "E. R. Pahl & Company Milwaukee, U. S. A."

Adulteration of the articles was alleged in the libel for the reason that they were colored in a manner whereby damage and inferiority were concealed and for the further reason that pectin had been mixed and packed with the said articles so as to reduce, lower, or injuriously affect their quality and strength. It was further alleged that the articles were adulterated, in that pectin jellies colored with fruit juices had been substituted wholly or in part for the currant and grape jellies, and in that pectin jellies colored with fruit juices and acidified tartaric acid had been substituted wholly or in part for the strawberry and raspberry jellies.

Misbranding was alleged for the reason that the statements, "Apple Pectin Currant" (or "Raspberry" or "Strawberry" or "Grape") "Jelly," and in the case of the raspberry and grape jellies, "E. R. Pahl & Company," borne on the labels, were false and misleading and deceived and misled the purchaser when applied to pectin jellies colored with fruit juices, and in the case of the raspberry and grape jellies, manufactured by a firm other than E. R. Pahl & Co., and in the case of the strawberry and raspberry jellies, containing added tartaric acid. Misbranding was alleged for the further reason that the articles were imitations of and were offered for sale under the distinctive names of other articles. Misbranding of the raspberry jelly was alleged for the further reason that the statement "Net weight 6 Ounces" was false and misleading and deceived and misled the purchaser, and in 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.

On April 29, 1926, McNeil & Co., Carpentersville, Ill., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be released to the said claimant upon payment of the clerk's and marshal's costs and the execution of a bond in the sum of \$500, conditioned that they not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

14253. Adulteration and misbranding of assorted jellies. U. S. v. 24 Cases of Assorted Jellies. Decree of condemnation and forfeiture. Products released under bond. (F. & D. No. 20983. I. S. No. 1239-x. S. No. C-5062.)

On March 26, 1926, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 24 cases of assorted jellies, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the articles had been shipped by McNeil & Co., from Carpentersville, Ill., in part October 31, 1925, and in part November 25, 1925, and transported from the State of Illinois into the State of Wisconsin, and charging adulteration and misbranding in violation of the food and drugs act as amended. The articles were labeled in part: (Jar) "Sunny South Brand Apple Pectin Crabapple" (or "Strawberry" or "Grape" or "Raspberry" or "Currant") "Jelly Net Wgt. 6 Ounces E. R. Pahl & Company Milwaukee, U. S. A."

Adulteration of the strawberry, grape, raspberry, and currant jellies was alleged in the libel for the reason that pectin jellies colored with fruit juices and acidified with tartaric acid had been substituted wholly or in part for the article, and in that a substance, pectin, had been mixed and packed therewith so as to reduce, lower, or injuriously affect their quality or strength, and for the further reason that they were colored in a manner whereby damage and inferiority were concealed. Adulteration was alleged with respect to the crabapple jelly for the reason that pectin jelly with added tartaric acid had been mixed and packed with and substituted wholly or in part for the article.

Misbranding was alleged for the reason that the statements "Apple Pectin Strawberry" (or "Grape" or "Raspberry" or "Currant" or "Crabapple")

"Jelly," borne on the labels, were false and misleading and deceived and misled the purchaser when applied to jellies of the composition of the said products. Misbranding was alleged for the further reason that the statement "Net Wgt. 6 Ounces," was false and misleading and deceived and misled the purchaser, and for the further reason that the articles were imitations of and offered for sale under the distinctive names of other articles.

On April 29, 1926, McNeil & Co., Carpentersville, Ill., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be released to the said claimant upon payment of the clerk's and marshal's costs and the execution of a bond in the sum of \$500, conditioned that they not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

14254. Misbranding of Poultry Pep. U. S. v. 50 Cartons of Poultry Pep. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20955. I. S. No. 12133-x. S. No. C-4999.)

On March 19, 1926, 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 praying seizure and condemnation of 50 cartons of Poultry Pep, at Chicago, Ill., alleging that the article had been shipped by John Blaul Sons, Cedar Rapids, Iowa, February 10, 1926, and transported from the State of Iowa into the State of Illinois, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Bottle) "An aid in preventing White Diarrhea, Cholera * * * To keep your poultry healthy."

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted essentially of salt, potassium permanganate, and potassium bichromate.

It was alleged in substance in the libel that the article was misbranded, in that the following statements regarding the curative or therapeutic effect of the article borne on the label: (Carton) "For White Diarrhea * * * Cholera * * * Using Poultry Pep regularly is the best guarantee you can have against Indigestion, Gapes, white diarrhea and cholera. It makes poultry healthy and gives them strength to stand up against poultry ailments. * * * Keeps them Healthy * * * Does The Work Every Time No Question About It. * * * Means healthier poultry," were false and fraudulent, in that the said article contained no ingredients or medicinal agents effective as a remedy for the several diseases, ailments, and afflictions mentioned upon the bottles containing the article, and upon the cartons and in the circulars contained therein.

On April 7, 1926, 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.

W. M. JARDINE, *Secretary of Agriculture.*

14255. Misbranding of T. S. B. Liverclean. U. S. v. 28 5/12 Dozen Bottles of T. S. B. Liverclean. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20925. I. S. No. 1292-x. S. No. C-4997.)

On March 13, 1926, 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 praying seizure and condemnation of 28 1/2 dozen bottles of T. S. B. Liverclean, at Chicago, Ill., alleging that the article had been shipped by C. M. & R. Tompkins, from Elmira, N. Y., February 2, 1926, and transported from the State of New York into the State of Illinois, and charging misbranding in violation of the food and drugs act as amended.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted essentially of sodium sulphate, magnesium sulphate, sugar, and a trace of plant extract dissolved in water.

Misbranding of the article was alleged in the libel for the reason that the following statements regarding its curative or therapeutic effects borne on the label: (Bottle) "Liverclean For All Disorders Of The Stomach, Liver And Bowels. It Promptly And Positively Relieves The Cause Of Nearly Every Form Of Sickness. Nature Will Do The Rest * * * For severe cases * * * Liverclean * * * for all complaints arising from the Liver, Stomach