

It was alleged in substance in the libels that the articles were misbranded, in that the following statements regarding the curative or therapeutic effects of the said articles were false and fraudulent, since they contained no ingredients or combinations of ingredients capable of producing the effects claimed: (Genitol, wrapper label, translation) "Ovarian and Uterine Tonic. Sedative and Anti-Spasmodic * * * Amenorrhoea, Dysmenorrhoea, Menorrhoea, Sterility, Menopause, Habitual Abortion, Deficiency of the ovarian and uterine organs * * * Genitol is of great therapeutic value in cases of dysmenorrhoea in young girls due to some mechanical disorder, such as anti-flexion or disorders of congestive nature, or by the delay of the menstrual period due to exposure or other causes of similar character. It will prevent abortion when such peril exists and will avoid it when habitual. It is very useful against headache due to congestion; nervous and hysterical disorders which accompany dysmenorrhoea; in congestion of the uterus and in uterine disorders characterized by loss of blood. Genitol is of great value for the slow and irregular growth of the sexual organs; for nervous disorders of the menopause; colics, cramps; palpitations during pregnancy and for the diverse afflictions inherent to diseases of the female genital organs," (Nervo-Vital, wrapper label, translation) "Nervo-Vital * * * aliment and tonic for the cerebrum and nervous system * * * neurasthenia, asthenia, hysteria, physical and mental debility, deficient nerve nutrition, sexual debility, nervous prostration and vital exhaustion * * * Nervo-Vital constitutes * * * the most adequate procedure for the administration of phosphorus to the organism, the indispensable factor for the sustenance of life."

On November 18 and December 21, 1926, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

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

14790. Adulteration of canned salmon. U. S. v. 13,311 Cases of Salmon, et al. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21374, 21375. I. S. Nos. 908-x to 911-x, incl. S. Nos. W-2038, W-2039.)

On November 11, 1926, the United States attorney for the Western District of Washington, 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 14,286 cases of canned salmon, remaining in the original unbroken packages at Bellingham, Wash., alleging that the article had been shipped by the Pacific American Fisheries, in part from Unawik, Alaska, and in part from Ikatan, Alaska, between the dates of July 9 and August 26, 1926, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On December 13, 1926, the Puget Sound Salmon Canning Co., claimant, having admitted the allegations of the libel 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 \$30,000, the terms of said bond requiring the reconditioning of the product under the supervision of this department.

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

14791. Adulteration and misbranding of butter. U. S. v. Armour & Co. (Armour Creameries). Plea of guilty. Fine, \$125. (F. & D. No. 19635. I. S. Nos. 7394-v, 7395-v, 7396-v, 7398-v.)

On April 5, 1926, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Armour & Co., a corporation, trading as the Armour Creameries, at Springfield, Mo., alleging shipment by said company, in violation of the food and drugs act, on or about September 21, 1924, from the State of Missouri into the State of Louisiana, of quantities of butter which was adulterated and misbranded. The article was labeled in part: "Creamery Butter."

Adulteration of the article was alleged in the information for the reason that a substance deficient in milk fat, in that it contained less than 80 per

cent by weight of milk fat, had been substituted for butter, a product which must contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923, which the said article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Creamery Butter," borne on the label, was false and misleading, in that the said statement represented that the article was butter, to wit, a product containing not less than 80 per cent by weight of milk fat as defined and prescribed by law, whereas it was not butter, in that it contained less than 80 per cent by weight of milk fat.

On October 6, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$125.

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

14792. Adulteration and misbranding of butter. U. S. v. Thomas J. Fenn (Valdosta Creamery). Plea of nolo contendere. Fine, \$5. (F. & D. No. 19744. I. S. Nos. 6605-x, 6613-x.)

On April 19, 1926, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Thomas J. Fenn, trading as the Valdosta Creamery, Valdosta, Ga., alleging shipment by said defendant, in violation of the food and drugs act, from the State of Georgia into the State of Florida, in part on or about November 5, 1925, and in part on or about November 9, 1925, of quantities of butter which was adulterated and misbranded. The article was labeled in part: (Package) "Fancy Creamery Butter."

Adulteration of the article was alleged in the information for the reason that a substance containing less than 80 per cent by weight of milk fat had been substituted for butter, a product which must contain not less than 80 per cent by weight of milk fat as defined and prescribed by the act of March 4, 1923, which the said article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Fancy Creamery Butter," borne on the labels, was false and misleading, in that the said statement represented that the article was butter, to wit, a product containing not less than 80 per cent by weight of milk fat as prescribed by law, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was butter, to wit, a product containing not less than 80 per cent by weight of milk fat, as prescribed by law, whereas it did not contain 80 per cent by weight of milk fat but did contain a less amount.

On September 20, 1926, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$5.

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

14793. Misbranding of tomatoes. U. S. v. John Demartini Co., Inc. Plea of guilty. Fine, \$25. (F. & D. No. 21548. I. S. Nos. 42-x, 44-x.)

On November 12, 1926, 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 an information against John Demartini Co., Inc., a corporation, San Francisco, Calif., alleging that on or about August 11, 1925, the said company had delivered for shipment in interstate commerce from the State of California to the Territory of Hawaii, quantities of tomatoes in unlabeled crates which were misbranded in violation of the food and drugs act as amended.

Misbranding of the article was alleged in the information for the reason 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 November 12, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

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

14794. Adulteration of oysters. U. S. v. Joseph L. McCready (J. L. McCready & Co.). Plea of guilty. Fine, \$20 and costs. (F. & D. No. 19645. I. S. Nos. 15615-v, 15616-v.)

On June 18, 1925, 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 an information against Joseph L. McCready, trading as J. L. McCready & Co., Baltimore, Md., alleging ship-