

the process has not gone too far. By a course of unfermented grape juice treatment, people with sunken eyes, wrinkled skins, and poor complexions, become plump, ruddy and lively. The increased permeability enables the spirit to manifest more freely and with renewed energy," which were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On August 21, 1929, the Island Belle Grape Juice Co. (Inc.), Grapeview, Wash., claimant, 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 costs and the execution of a bond in the sum of \$1,000, conditioned in part that it be made to conform to the law under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture*,

**16830. Misbranding of tomato catsup and chili sauce. U. S. v. Greenabaum Bros. (Inc.). Plea of guilty. Fine, \$200.** (F. & D. No. 23721. I. S. Nos. 16322-x, 16323-x, 16324-x, 16357-x, 20080-x, 20083-x, 20084-x, 20085-x, 20087-x, 20255-x, 20256-x, 20258-x, 20259-x, 20425-x, 20686-x, 21100-x, 21221-x, 21223-x, 21483-x, 21505-x, 21506-x.)

On September 13, 1929, the United States attorney for the District of Delaware, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Greenabaum Bros. (Inc.), a corporation, Seaford, Del., alleging shipment by said company, in violation of the food and drugs act, in various consignments, between the approximate dates of September 3, 1927, and December 30, 1927, from the State of Delaware into the States of New Jersey, Pennsylvania, Maryland, and New York, respectively, of quantities of tomato catsup and chili sauce which were misbranded. The labels of the said articles bore the statements, "Contains no Artificial Color," "We Guarantee \* \* \* No \* \* \* Artificial Coloring," or "Natural Color," as the case might be. The chili sauce and a portion of the tomato catsup were further labeled: "Guaranteed Pure and to Comply with all U. S. Food Laws."

It was alleged in the information that the articles were misbranded in that the statements, "Contains no Artificial Color," "We Guarantee \* \* \* No \* \* \* Artificial Coloring," or "Natural Color," as the case might be, borne on the labels, and the statements, "Guaranteed Pure and to Comply with all U. S. Food Laws," borne on the labels of the chili sauce and a portion of the tomato catsup, were false and misleading in that the said statements represented that the articles contained no artificial color or coloring, and that the chili sauce and a portion of the tomato catsup complied with the food and drugs act of June 30, 1906, and for the further reason that they were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they contained no artificial color or coloring, and that the chili sauce and a portion of the tomato catsup complied with the food and drugs act of June 30, 1906, whereas the articles did contain artificial color or coloring, and the chili sauce and the said portion of the tomato catsup did not comply with the said food and drugs act.

On September 25, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200.

ARTHUR M. HYDE, *Secretary of Agriculture*.

**16831. Adulteration and misbranding of butter. U. S. v. 8 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 24143. I. S. No. 022329. S. No. 2283.)

On September 6, 1929, 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 seizure and condemnation of 8 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Lakota Creamery Co., Lakota, N. Dak., alleging that the article had been shipped from Lakota, N. Dak., on or about August 29, 1929, and transported from the State of North Dakota into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been substituted wholly or in part for the said article and had been mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article, and for the further reason that it was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 11, 1929, Wm. M. Lippincott Co., Philadelphia, Pa., having appeared as claimant for the property, 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 costs and the execution of a bond in the sum of \$300, conditioned in part that it be reconditioned under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16832. Adulteration and misbranding of olive oil. U. S. v. 58 Cans of Olive Oil. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23981. I. S. No. 018391. S. No. 2246.)**

On September 5, 1929, the United States attorney for the District of Colorado, 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 58 cans of olive oil, remaining in the original cans at Denver, Colo., consigned by S. Savona, New York, N. Y., alleging that the article had been shipped from New York, N. Y., on or about July 27, 1929, and transported from the State of New York into the State of Colorado, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Superfine Olive Oil Imported Italia Brand Lucca Italia Net Contents One Gallon."

It was alleged in the libel that the article was adulterated in that a substance, cottonseed oil, had been mixed and packed with and substituted in part for the said article.

Misbranding was alleged for the reason that the statements, "Superfine Olive Oil Imported Italia Brand Lucca Italia Net Contents One Gallon," were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article, and for the further reason that it was food in package form and failed to bear a plain and conspicuous statement of the quantity of the contents, since the statement made was incorrect.

On October 11, 1929, Maria Florey, Denver, Colo., 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 costs and the execution of a bond in the sum of \$200, conditioned in part that it be relabeled, under the supervision of this department, to show the correct contents of said cans and the quantity.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16833. Adulteration of butter. U. S. v. 163 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24029. I. S. No. 011859. S. No. 2194.)**

On August 1, 1929, 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 163 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Western Creameries (Inc.), from Coffeyville, Kans., July 15, 1929, and transported from the State of Kansas into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance, excessive water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, in that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the article, in that a valuable constituent, butterfat, had been in part abstracted from the said article, and in that it contained less than 80 per cent of butterfat.

On September 24, 1929, the Western Creamery Co., Coffeyville, Kans., 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