

**FOOD AND DRUGS ACT**

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**NOTICES OF JUDGMENT Nos. 9001-10000**

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# United States Department of Agriculture,

## BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

### SERVICE AND REGULATORY ANNOUNCEMENTS.

#### SUPPLEMENT.

N. J. 9001—9050.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., May 7, 1921.]

#### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

Given pursuant to section 4 of the Food and Drugs Act.]

**9001. Adulteration of shell eggs. U. S. \* \* \* v. Andrew Albert Schauer. Plea of guilty. Fine, \$10.** (F. & D. No. 10774. I. S. No. 5507-r.)

On September 12, 1919, the United States attorney for the District of North Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Andrew Albert Schauer, Heil, N. Dak., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 16, 1918, from the State of North Dakota into the State of Minnesota, of a quantity of shell eggs which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed, in 8 half cases, 496, or 34.4 per cent, inedible eggs.

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

On December 13, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

**9002. Misbranding of June Pasture Cottonseed Meal. U. S. \* \* \* v. Spring City Milling Co., a Corporation. Plea of guilty. Fine, \$100.** (F. & D. No. 11045. I. S. No. 11626-r.)

On November 6, 1919, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Spring City Milling Co., a corporation, Huntsville, Ala., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 30, 1918, from the State of Alabama into the State of Tennessee, of a quantity of cottonseed meal which was misbranded. The article was labeled in part, "June Pasture Cotton Seed Meal \* \* \* Made For Spring City Milling Co., Huntsville, Ala."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results: Fat, 4.68 per cent; crude fiber, 16.24 per cent; and protein, 33.44 per cent.

Misbranding of the article was alleged in the information for the reason that the statement, concerning the article and the contents thereof, appearing on the label, to wit, "Protein 36.% Fat 5.50%, Fiber 14.,%" was false and misleading in that it represented to purchasers thereof that the article contained not less than 36 per cent

of protein and 5.50 per cent of fat, and not more than 14 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that the article contained not less than 36 per cent of protein and 5.50 per cent of fat, and not more than 14 per cent of fiber, whereas, in fact and in truth, it contained less than 36 per cent of protein and 5.50 per cent of fat, and more than 14 per cent of fiber.

On April 8, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

**3003. Misbranding of Gillen's Cholera Remedy. U. S. \* \* \* v. 94 Cases of Gillen's Cholera Remedy. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11071. I. S. Nos. 9413-r, 9414-r. S. No. C-1411.)**

On August 13, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 94 cases of Gillen's Cholera Remedy, remaining unsold in the original unbroken packages at St. Louis and Creve Coeur, Mo., alleging that the article had been shipped by the Gillen Remedy Co., Atlanta, Ga., on or about May 11 and June 6, 1919, and transported from the State of Georgia into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Gillen's Cholera Remedy For Hogs and Chickens \* \* \* For Hogs: When afflicted with cholera, \* \* \* As a preventive for cholera and to remove worms and as a general tonic give two doses a week. For Fowls: When afflicted with cholera, sorehead and roup, and white diarrhoea in little chicks, give \* \* \* twice a day \* \* \*. As a Preventive for cholera, sorehead and roup, \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of saponified tar oil and sodium sulphate.

It was alleged in substance in the libel that the article was misbranded in violation of section 8 of the Food and Drugs Act, as amended, for the reason that the following statements regarding the curative and therapeutic effects thereof were false and fraudulent: "\* \* \* Gillen's Cholera Remedy. To keep hogs in a good, healthy condition, \* \* \* If cholera appears in your herd, \* \* \* give all Gillen's Cholera Remedy immediately, \* \* \* If you have a hog that has gotten so badly afflicted that he cannot eat, give Gillen's Cholera Remedy \* \* \*."

On September 22, 1920, the United States Remedies Co., Atlanta, Ga., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,800, in conformity with section 10 of the act, conditioned in part that the goods be relabeled.

E. D. BALL, *Acting Secretary of Agriculture.*

**3004. Adulteration and misbranding of tomatoes. U. S. \* \* \* v. 350 Cases of Tomatoes. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 11871, 11872, 11873. I. S. No. 13989-r. S. No. E-1922.)**

On January 7, 1920, the United States attorney for the Eastern 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 for the seizure and condemnation of 350 cases of canned tomatoes, remaining unsold in the original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped by Charles Webster, from Sharps-town, Md., and transported from the State of Maryland into the State of New York, the consignment arriving between December 3, 1919, and December 11, 1919, and charging adulteration and misbranding in violation of the Food and Drugs Act. The

article was labeled in part, "Rose Hill Brand Tomatoes. Packed by Chas. Webster, at East New Market, Md."

Adulteration of the article was alleged in the libel for the reason that added water had been mixed and packed with and substituted wholly or in part for tomatoes.

Misbranding was alleged in substance for the reason that the package or label of the article bore statements, designs, and devices regarding said article or the ingredients or substances contained therein, to wit, "Rose Hill Brand Tomatoes," and a cut of a whole ripe tomato, which were false and misleading and deceived and misled the purchaser, and for the further reason that the said article was an imitation of, and offered for sale under the distinctive name of, another and different article.

On March 3, 1920, the said Charles Webster, claimant, having admitted the truth of the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$900, in conformity with section 10 of the act, conditioned in part that the product be relabeled by said claimant at his own expense, under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**9005. Adulteration of salmon. U. S. \* \* \* v. 4,800 Cans \* \* \* of Invincible Brand Medium Red Salmon, 9,600 \* \* \* Cans of Choice Oregon Salmon, 200 Cases of \* \* \* Cape Aragon Brand Choice Red Salmon, 400 Cases of \* \* \* Invincible Brand Medium Red Salmon, 2,400 \* \* \* Cans of Invincible Brand Choice Oregon Salmon, 2,400 \* \* \* Cans of Cape Aragon Brand Choice Red Salmon, and 150 Cases of \* \* \* Cape Aragon Brand Choice Red Salmon. Default decrees of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 12138, 12233, 12234, 12527. I. S. Nos. 5229-r, 2844-r, 2845-r, 2847-r, 2846-r, 5230-r. S. Nos. W-573, W-583, W-589.)**

On February 4, 1920, March 9, 1920, and March 23, 1920, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 4,800 cans of Invincible Brand Medium Red Salmon, 9,600 cans of Choice Oregon Salmon, and 200 cases of Cape Aragon Brand Choice Red Salmon, 400 cases of Invincible Brand Medium Red Salmon, 2,400 cans of Invincible Brand Choice Oregon Salmon, 2,400 cans of Cape Aragon Brand Choice Red Salmon, and 150 cases of Cape Aragon Brand Choice Red Salmon, remaining in the original unbroken packages at Salt Lake City and Ogden, Utah, alleging that the article had been shipped on or about October 9, 1919, by the Tallant-Grant Packing Co., Astoria, Oreg., and transported from the State of Oregon into the State of Utah, 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 wholly or in part of filthy, decomposed, or putrid animal substance.

On October 9, 1920, 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. On December 10, 1920, the decrees of destruction theretofore entered were amended by order of the court so as to provide for the sale of the goods for a sum not less than the cost of storage, the purchaser of the same to furnish good and sufficient bond in the aggregate sum of \$5,000, conditioned that the salmon be disposed of and used for stock feeding and for no other purpose, and that it be not disposed of in violation of the Food and Drugs Act.

E. D. BALL, *Acting Secretary of Agriculture.*

**9006. Adulteration of shell eggs. U. S. \* \* \* v. Hyman Brody (Farmers Store). Plea of guilty. Fine, \$1. (F. & D. No. 12336. I. S. Nos. 18783-r, 18785-r.)**

On May 24, 1920, the United States attorney for the District of North Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Hyman Brody, trading as

Farmers Store, Regan, N. D., alleging shipment by said defendant on or about July 31 and August 4, 1919, from the State of North Dakota into the State of Minnesota, of quantities of eggs which were adulterated.

Examination of a sample from each of the consignments of the article by the Bureau of Chemistry of this department showed 30 and 12.7 per cent, respectively, of inedible eggs, consisting of mixed or white rots, moldy eggs, and blood rings.

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

On December 8, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$1.

E. D. BALL, *Acting Secretary of Agriculture.*

**9007. Misbranding of Claes Tilly Genuine Medicamentum. U. S. \* \* \* v. Claes Tilly, Inc., a Corporation. Plea of guilty. Fine, \$200. (F. & D. No. 13162. I. S. Nos. 15665-r 16348-r.)**

On January 15, 1921, 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 an information against Claes Tilly, Inc., a corporation, trading at New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about November 15, 1918, and January 11, 1919, from the State of New York into the State of Georgia and the District of Columbia, respectively, of quantities of Claes Tilly Genuine Medicamentum which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a sulphurated vegetable oil, probably linseed, mixed with turpentine and possibly a small amount of oil of amber.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices, regarding the therapeutic and curative effects thereof, appearing on the labels of the boxes, and in the booklet or circular, as the case might be, inclosed in the boxes, falsely and fraudulently represented it to be effective, with respect to both consignments, as a treatment, remedy, and cure for bladder, kidney, and liver disorders, anemia, brittle nails, erysipelas, measles, small-pox, dyspepsia, fevers, chronic Bright's disease, chronic bladder disease, abdominal fatness, jaundice, biliary colic, pneumonia, piles, liver constipation, and worms in children, and with respect to the consignment of November 15, 1918, as a treatment, remedy, and cure for falling hair, typhoid fever, scarlet fever, typhomalarial fever, capillary bronchitis, chronic gout, inflammatory rheumatism, constipation, pale blood, and faulty nutrition of the aged, and with respect to the consignment of January 11, 1919, as a treatment for kidney, bladder, stomach, liver, and blood trouble, when, in truth and in fact, it was not.

On January 26, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200.

E. D. BALL, *Acting Secretary of Agriculture.*

**9008. Misbranding of La Nobleza and Sin Igual. U. S. \* \* \* v. Juan Gandara. Tried to the court and a jury. Verdict for the Government. Defendant sentenced to one year in jail and to pay costs of proceedings. (F. & D. No. 13241. I. S. Nos. 10366-t, 10367-t.)**

On August 17, 1920, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Juan Gandara, Albuquerque, N. Mex., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on July 30, 1920, from the State of New Mexico into the State of California, of a quantity of La Nobleza and Sin Igual, and from the State of New Mexico into the State of Arizona, of a quantity of Sin Igual, all of which were misbranded. The articles were labeled in part, respectively, "La Nobleza \* \* \* Don Juan Gandara, Elms Hotel, \* \* \* First and Tijeras, Albuquerque, N. M.,"



and "Sin Igual \* \* \* Don Juan Gandara, Proprietario Mexican Herb Remedy Company."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Sin Igual consisted of an aqueous solution containing gum (probably from althaea), a plant laxative, licorice, and faint traces of alkaloids, and that the La Nobleza consisted of a solution containing plant extractives, including saponin (sarsaparilla), a plant laxative, sugar, alcohol, water, and traces of alkaloids.

Misbranding of the articles was alleged in substance in the information for the reason that certain statements, designs, and devices, regarding the therapeutic and curative effects thereof, appearing on the bottle label of the La Nobleza, and on the bottle label and accompanying circular of the Sin Igual, falsely and fraudulently represented the La Nobleza to be effective as a treatment, remedy, and cure for scrofula, cancer, leprosy, syphilis, tuberculosis, and all impurities of the blood, and as a preventive of contagious diseases, and the Sin Igual to be effective as a treatment, remedy, and cure for gravel, suffocation of the chest, retention of urine, stone in the bladder, yellow fever, jaundice, and diseases of the kidneys, liver, bladder, chest, and womb, when, in truth and in fact, they were not.

On November 23, 1920, the case having come on for trial before the court and a jury, after the submission of evidence and arguments by counsel, the court charged the jury as follows (Colin Neblett, *D. J.*):

The defendant is being tried under the provisions of what is known as the Pure Food and Drugs Act. For your information I will read the law applicable to this case:

"The introduction into any State or Territory or the District of Columbia from any other State or Territory or the District of Columbia, or from any foreign country, or shipment to any foreign country, of any article of food or drugs which is adulterated or misbranded within the meaning of this act is hereby prohibited. \* \* \* The term 'misbranded' as used herein shall apply to all drugs \* \* \* the package or label of which shall bear any statement, design, or device regarding such article or the ingredients or substances contained therein which shall be false or misleading in any particular. For the purposes of this act it shall also be deemed to be misbranded if its package or label shall bear or contain any statement, design, or device regarding the curative or therapeutic effect of such article or any of the ingredients or substances contained therein which is false and fraudulent."

In the first and second counts of the information you must determine whether or not the defendant shipped the bottles of medicine described in the information and introduced in evidence in this case, in interstate commerce. That is, in the first count, whether or not he did ship from Albuquerque, in the State of New Mexico, to Imperial, in the State of California, addressed to Belen Sandoval, a box containing one bottle of medicine mentioned in the first count of the information and the evidence.

In the second count, that he did ship one box containing two bottles of medicine from Albuquerque, in the State of New Mexico, to Gila Bend, in the State of Arizona, addressed to Anita R. Alvizo, you will first determine whether or not the allegations that he shipped this medicine in interstate commerce is true or not.

It is essential for the Government to establish these facts by the evidence to your satisfaction beyond a reasonable doubt, for the reason that this court would have no jurisdiction to try this defendant on the charges he is now being tried on unless the articles were shipped in interstate commerce. The sending or shipping of any articles by mail from a point in one State to a point in another State constitutes an interstate shipment.

The material allegations of the first count of the information which must be established by the evidence to your satisfaction beyond a reasonable doubt are as follows:

That the defendant did, on July 30, 1920, ship from Albuquerque, in the State of New Mexico, to Imperial, in the State of California, a box containing one bottle; that said bottle contained an article designed and intended to be used as a cure, prevention, and mitigation of diseases of man; that the bottle was marked, labeled, and branded and contained the statement regarding its therapeutic and curative effects the English translation of which is as follows:

"LA NOBLEZA

"Directions: This is for the blood, scrofula, for curing cancer of the blood; cures leprosy and syphilis and cures tuberculosis of the blood; is good for all impurities of the blood; is good for producing noble blood. This preparation contains Sarsaparilla

root, juniper, Cascara Sagrada, Cascara Copalquin (Mexican Cinchona) Anise, Vanilla, sugar and sufficient alcohol to preserve. Every person who uses this remedy until he is cured will be sure of not having any contagious disease; even a year old child can use it, because its components are vegetable and it cannot harm anybody. Adults should take a spoonful every 3 hours; boys and girls from 20 years to 15 years should take a spoonful every 4 hours; boys and girls from 14 to 8 years should take a teaspoonful every 3 hours; children from 7 to 4 years should take a teaspoonful every 5 hours; from one to 3 years they can take a teaspoonful every 6 hours; this medicine does not require any diet, and can be bought of Don Juan Gandara, 518 W. Marquette Avenue, Albuquerque, N. M. Price \$6.20."

That the statements on the label, mark, or brand placed upon the bottles were false and fraudulent; that the defendant knew that the statements on the label on said bottle were false or fraudulent; or that he made a wanton and reckless statement in said label, not knowing whether it was true or false. That said label did falsely and fraudulently represent to purchasers and create in their minds the impression and belief that the article contained in the bottle was composed of ingredients or medicinal agents which would cure scrofula, cancer, tuberculosis, leprosy, syphilis, and all impurities of the blood and was effective as a preventive for all contagious diseases.

That in truth and in fact said article was not composed and did not contain ingredients or medicinal agents effective as a cure for scrofula, cancer, leprosy, syphilis, tuberculosis, and all impurities of the blood, and was not effective as a preventive for all contagious diseases.

If each and every one of the foregoing material allegations are established by the evidence to your satisfaction beyond a reasonable doubt, then you will find the defendant guilty as charged in the first count of the information.

The material allegations of the second count of the information which must be established by the evidence to your satisfaction beyond a reasonable doubt are:

That the defendant on July 30, 1920, shipped from Albuquerque, in the State of New Mexico, to Gila Bend in the State of Arizona, addressed to Anita R. Alvizo, one box containing two bottles containing an article designed and intended to be used in the cure, prevention, and mitigation of disease.

That the bottles contained in the box shipped was labeled, marked, and branded, the English translation of which is as follows:

"SIN IGUAL (Without Equal)

"Directions: This remedy is for curing the kidneys. It cures the liver, cures gravel of the kidneys, cures the bladder, cures suffocation of the chest. It is good for disease of the urine, cures retention of the urine, cures stone in the bladder, puts the kidneys in order, cures jaundice, and is good for yellow fever. This remedy does not contain alcohol, it is a pure vegetable curative. This medicine contains Althea Root, Cascara of Copalquin (Mexican Cinchona), Mexican barley, licorice and Cascara Sagrada. Adults should take a spoonful of this remedy in 4 spoonfuls of warm water every hour. Boys and girls 15 years of age should take a spoonful every two hours, under the same conditions. Boys and girls 10 years of age should take a teaspoonful of this remedy and 4 of warm water every hour. From 5 to 3 years, they should take a teaspoonful of this remedy in 4 teaspoonfuls of warm water every 2 hours. When this remedy is taken, do not eat chillies, nor meat, nor use coffee nor liquors nor cold things. Hot food is most favorable and hot water also. Guard against air and cold; not much exercise should be taken. This remedy is on sale at 518 W. Marquette Avenue, Albuquerque, New Mexico, Mexican Herb Remedy Company, Don Juan Gandara, Proprietor."

That the label or brand appearing on the bottles so shipped were false and fraudulent; that the same were applied by the defendant to the medicine in the bottle, knowing the same to be false, or in reckless and wanton disregard of the truth or falsity of the same, so as to create in the minds of purchasers thereof the impression and belief that the article was composed of and contained ingredients or medicinal agents effective as a cure for diseases of the liver, bladder, for gravel, suffocation of the chest, retention of urine, stone in the bladder, yellow fever and jaundice. That the statements on the bottles so shipped were not true; that is, the bottles upon which said labels were placed did not contain ingredients or medicinal agents which were a cure for diseases of the liver, and bladder, gravel, suffocation of the chest, retention of the urine, stone in bladder, yellow fever and jaundice.

If each and every one of the foregoing material allegations above mentioned are established to your satisfaction beyond a reasonable doubt, you will find the defendant guilty as charged in the second count of the information.

It is sufficient if you believe from the evidence that one or more of such statements as to the curative powers of this medicine are false, provided you find the other material allegations as stated above.

If you believe from the evidence that the medicine called La Nobleza is composed of the ingredients named on the label thereon, viz, sarsaparilla root, juniper, cascara sagrada, cascara copalquin or Mexican cinchona, anise, vanilla, sugar, and sufficient alcohol to preserve it, and that such preparation is made in such a way [that] it is [a] remedy for tuberculosis, scrofula, cancer, leprosy, syphilis, and all impurities of the blood and is effective as a preventive for contagious diseases, then such a label is not false or fraudulent; and if the jury further believes that the medicine or preparation called Sin Igual is composed of the ingredients named in the label thereon, viz, althea root, cascara of copalquin or Mexican cinchona, Mexican barley, licorice, and cascara sagrada, and that such preparation is made in such a way that it is a cure for the liver, gravel of the kidneys, bladder, suffocation of the chest, disease of the urine, retention of the urine, stone in the bladder, kidneys, jaundice, and yellow fever, then such label is not false or fraudulent, and it will be your duty to find the defendant not guilty.

You are instructed that in determining the truth or falsity of the preparation called La Nobleza and the preparation called Sin Igual, you are to take into consideration all of the evidence relative to their curative effects as testified to by all of the witnesses in the case, both those on behalf of the Government and those on behalf of the defendant, and if from all of the evidence in the case, you entertain a reasonable doubt as to the falsity of such statements, and as to their being fraudulent, then it will be your duty to resolve such doubt in favor of the defendant. In this case, there appeared some doctors. These witnesses are known as expert witnesses, and as to them I instruct you that one who testifies as an expert witness must possess special knowledge or skill necessary to make his opinion or judgment a fact of pertinent value, and the value of such expert's testimony depends largely on the extent of the experience and study of the witness. It is not whether the subject matter of his testimony is common or uncommon, but whether the witness offered as an expert has any peculiar knowledge of the subject matter of the inquiry not common to the world, which renders his opinion an aid to the jury in determining the questions at issue.

So far as the expert testimony is concerned, you will consider that and treat it as you would any of the other testimony in the case; the simple fact that it was offered by an expert should not be given preference over the other testimony in the case, and everything else being equal, has the same weight as that of any other witness. Under the law the opinion of an expert witness is admissible in evidence and is to be given such weight and value as the jury thinks proper. The value of expert opinion is to be determined not only from the qualification and experience of the witness, but must be considered in connection with the facts upon which he bases his opinion, which facts must be established by the evidence the same as any other material fact in the case, and the jury must look to see that the facts are established by the proof or not. You can not take the assumed facts upon which such expert testimony is based as proven, but you will look to the proofs to determine whether such facts are proven or not in considering such expert testimony.

In this case, the element of good faith on the part of the defendant in placing the label upon the bottles of medicine made by him, and which it is claimed by the Government he shipped in interstate commerce, is a question for you to determine. The defendant claims that the medicine placed by him in the bottles which have been introduced in evidence would cure the diseases mentioned and described on the label of the bottle. If you believe from the evidence that the defendant shipped in interstate commerce the drugs or medicine mentioned in the information and in the evidence, and further believe that the representations on the labels were false, but further find that the defendant honestly believed, at the time he placed the labels on the bottles and shipped them in interstate commerce, that the medicine contained in the bottles would do just what he claims on the label it would, that is, it would cure each of the diseases he claims on the label it would cure, then it would be your duty to return a verdict in favor of the defendant.

On the other hand, if you believe from the evidence that the defendant knew that the medicine in the bottles would not cure all of the diseases mentioned in the label, or that he made the statements wantonly and recklessly, not knowing whether such statements were true or false, and the other elements of crime are established, then you will find the defendant guilty.

The third count in the information charges that the defendant was, on July 22, 1920, convicted in the United States District Court for the District of New Mexico of a violation of the provisions of the Pure Food and Drugs Act, the law under which the present prosecution is brought against him. The court may impose a greater penalty

for the second offense, and that is why this has come to your consideration. If you believe from the evidence the defendant shipped and delivered in interstate commerce boxes containing bottles of misbranded drugs, to wit, La Nobleza and Sin Igual, the contents of which and the labels thereon being identical with the contents and labels of the misbranded drugs shipped and delivered for shipment as hereinbefore in the first and second counts hereof set forth; that such proceedings were had upon such information and that said Juan Gandara pleaded guilty to the said information so filed in the District Court of the United States for the District of New Mexico, then you will find the defendant guilty as charged in the third count of the information.

You are the sole judges in this case of the credibility of the witnesses and the weight to be given to their testimony. And for that purpose you may consider the fairness or the unfairness, the prejudice, bias, or interest in the result of your verdict, if any, of any witness who has testified before you, his demeanor while testifying, his apparent carefulness and fairness on the stand, his opportunity to know and correctly relate the facts, and whether his testimony is positive or negative in character, and determine from the whole of the evidence where the truth in the case lies.

The defendant is presumed to be innocent until his guilt is established by the evidence beyond a reasonable doubt; to the benefit of this presumption the defendant in this case is entitled, and it stands as his sufficient protection until the same has been removed by evidence establishing his guilt beyond a reasonable doubt.

A reasonable doubt is such a doubt as would cause a reasonable and prudent man, in the graver and more important affairs of life, to pause and hesitate to act upon the truth of the matter charged. But a reasonable doubt is not a mere possibility of innocence, nor a caprice, shadow, or speculation as to innocence not arising out of the evidence or the want of it. The jury should patiently and dispassionately weigh and consider the testimony and bring to bear upon it the exercise of common sense and judgment as reasonable men. And if, after considering the evidence, you can say that you have an abiding conviction of the truth of the charge then you are satisfied beyond a reasonable doubt.

The jury thereupon retired and after due deliberation returned a verdict of guilty, whereupon the court sentenced the defendant to serve one year in jail and to pay the costs of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

**9009. Adulteration and misbranding of Almanaris Water. U. S. \* \* \* v. 257 Cases \* \* \* of Almanaris Water \* \* \*. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 13292. I. S. No. 4112-t. S. No. C-2457.)**

On or about September 2, 1920, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 257 cases, more or less, 1-gallon size, of Almanaris Water, remaining unsold in the original unbroken packages at Indiana Harbor, Ind., alleging that the article had been shipped by the Almanaris Mineral Spring Co., Waukesha, Wis., on or about July 14, 1920, and transported from the State of Wisconsin into the State of Indiana; and charging adulteration and misbranding under the Food and Drugs Act. The article was labeled in part, "A Pure Soft And Palatable Drinking Water \* \* \*."

A sanitary analysis of a sample of the product made by the Bureau of Chemistry of this department showed the following results, expressed as milligrams per liter, except as otherwise given.

	Bottle.				
	1	2	3	4	5
Chlorid (Cl).....	7	7			
Bicarbonate (HCO <sub>3</sub> ).....	313	313			
Free ammonia nitrogen (N).....	.006	.008			
Albuminoid ammonia nitrogen (N).....	.004	.006			
Nitrite nitrogen (N).....	.000	Trace.	0.000	0.010	0.000
Nitrate nitrogen (N).....	5.000	5.000			

Residue at 110° C. does not darken.

Bacteriological examination showed the presence of *B. coli* in small quantities of the water.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, or putrid animal or vegetable substance.

Misbranding of the article was alleged for the reason that the statement, "A pure \* \* \* drinking water," borne on the labels as aforesaid, was false and misleading, and deceived and misled the purchaser.

On October 8, 1920, the Almanaris Mineral Spring Co., Waukesha, Wis., and the Central Drug Store, Indiana Harbor, Ind., having filed an answer admitting the allegations of the libel and consenting to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9010. Misbranding of Perry's Swine-Lixir. U. S. \* \* \* v. 18 Cases of \* \* \* Perry's Swine-Lixir. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 10104. I. S. No. 5990-r. S. No. C-1176.)**

On April 25, 1919, the United States attorney for the Middle District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 cases of Perry's Swine-Lixir, remaining in the original unbroken packages at Dothan, Ala., alleging that the article had been shipped by the Swine Elixir Mfg. Co., Moultrie, Ga., on May 6, 1918, and transported from the State of Georgia into the State of Alabama, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "A Remedy For Hog Troubles Perry's Swine-Lixir \* \* \* is especially recommended for Hog Cholera in every form. \* \* \* If this medicine is given according to our directions there will be no reason for stock raisers to lose any Hogs by reason of general sickness or disease. \* \* \*"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an aqueous solution of sulphates of iron and calcium, sulphuric acid, a trace of volatile oil such as turpentine, and a sediment of iron oxid.

It was alleged in substance in the libel that the article was misbranded for the reason that the above-quoted statements appearing in the labels were false and fraudulent in that the product contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it on the said labels.

On March 15, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9011. Misbranding of B-I-F Combination. U. S. \* \* \* v. 4 Dozen Packages of \* \* \* B-I-F Combination. Default decree of destruction. (F. & D. No. 10503. I. S. No. 16508-r. S. No. E-1549.)**

On June 16, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 dozen packages of B-I-F Combination, at Tampa, Fla., consigned by the W. H. Smaw Drug Co., Baltimore, Md., alleging that the article had been shipped on or about February 15, 1918, and transported from the State of Maryland into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "B-I-F Emulsion For Internal Use \* \* \* Prepared By W. H. Smaw Drug Co. Baltimore, Md."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of two preparations, an emulsion for internal use and an

injection. The emulsion consisted essentially of an alkaline aqueous mixture of copaiba balsam and oil of peppermint, and the injection consisted of an aqueous solution of zinc sulphate, glycerin, opium, and phenol.

It was alleged in substance in the libel that the article was misbranded for the reason that the circulars accompanying it contained the following statements regarding the curative and therapeutic effects thereof, "Smaw's B-I-F Combination An Emulsion \* \* \* An Injection \* \* \* Is an old and well known treatment For Gonorrhoea (Clap), Gleet, Leucorrhoea (Whites) and other complaints due to inflammation or Debility of the Urinary Organs," which said statements were false, fraudulent, and misleading in that said article contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed in said statements above set forth.

On January 11, 1921, no claimant having appeared for the property, an order was entered finding that the product was subject to condemnation, and it was decreed by the court that the same be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9012. Adulteration and misbranding of gelatin. U. S. \* \* \* v. 1 Barrel of Gelatin. Default decree of destruction.** (F. & D. No. 10739. I. S. No. 16175-r. S. No. E-1605.)

On July 12, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 barrel, containing 200 pounds of gelatin, at Tampa, Fla., consigned by W. B. Wood Mfg. Co., St. Louis, Mo., alleging that the article had been shipped on or about March 1, 1919, and transported from the State of Missouri into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, "Gelatine W. B. Wood Mfg. Co., St. Louis, Mo."

Adulteration of the article was alleged in the libel for the reason that glue had been mixed and packed with and substituted wholly or in part for gelatin, and for the further reason that said article contained added poisonous or other added deleterious ingredients, to wit, zinc and copper, which might render the article injurious to health.

Misbranding was alleged for the reason that the article was labeled "Gelatine," whereas, in truth and in fact, it was not gelatin, in that it contained glue and added poisonous and other deleterious ingredients, and for the further reason that it was an imitation of, and offered for sale under the distinctive name of, another article.

On January 11, 1921, no claimant having appeared for the property, an order was entered, finding that the product was subject to condemnation, and it was decreed by the court that said product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9013. Misbranding of Black Caps. U. S. \* \* \* v. 72 Packages \* \* \* of \* \* \* Black Caps. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10855. I. S. No. 7189-r. S. No. C-1350.)

On July 9, 1919, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 72 packages, more or less, of drugs, labeled in part "Black Caps," shipped by Samuel B. Clapp, New York, N. Y., on December 27, 1918, remaining unsold in the original packages at Louisville, Ky., alleging that the article had been transported from the State of New York into the State of Kentucky, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted of cubebs, copaiba balsam, and plant extractives (probably saw palmetto).

Misbranding of the article was alleged in substance in the libel for the reason that the packages or labels bore and contained false and fraudulent statements regarding the curative and therapeutic effect of said drugs, to wit, (carton) "Black-Caps For the treatment of Gonorrhoea, Urethritis, Cystitis, and other inflammatory conditions of the Urinary Tract," (circular) "\* \* \* Inflammatory Affections Of The Genito-Urinary Organs \* \* \* stimulant to the mucous membranes, especially of the Genito-Urinary tract, \* \* \* in the relief of inflamed or irritated conditions of the passages, \* \* \* in the treatment of specific Urethritis (simple Gonorrhoea), \* \* \* chronic Cystitis (inflammation of the bladder) resulting from Gonorrhoea, Leucorrhoea, Vaginal Gonorrhoea, subacute and chronic Pyelitis, atonic impotence, \* \* \* Prostatic abscess, chronic inflammation of the vesical neck (bladder), accompanied by tenesmus (ineffectual straining), nocturnal and incontinence of urine," which said false and fraudulent claims related to false curative properties of said drugs in venereal diseases.

On March 5, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9014. Adulteration of butter. U. S. \* \* \* v. 340 Tubs \* \* \* of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 10902. I. S. No. 7728-r. S. No. C-1394.)**

On August 2, 1919, the United States attorney for the Eastern 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 for the seizure and condemnation of 340 tubs, more or less, of butter, remaining unsold in the original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped by H. A. Ertz Co., St. Paul, Minn., on or about July 31, 1919, and transported from the State of Minnesota into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that an excessive amount of water had been mixed and packed with the butter; for the further reason that a product deficient in milk fat and high in moisture had been substituted wholly and in part for the article; and for the further reason that a valuable constituent, to wit, butter fat, had been [in part] abstracted.

On September 28, 1919, H. A. Ertz Co., St. Paul, Minn., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings, and the execution of a bond in the sum of \$5,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**9015. Misbranding of Milks Emulsion. U. S. \* \* \* v. 27 Dozen Small and 16 Dozen Large Bottles of \* \* \* Milks Emulsion. Consent decree of misbranding. Product released on bond. (F. & D. Nos. 11325, 11363. I. S. Nos. 2654-r, 2665-r. S. Nos. W-499, W-500.)**

On September 26, 1919, 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 two libels, and on October 14, 1919, an amended libel in which two cases were consolidated, for the seizure and condemnation of 27 dozen small and 16 dozen large bottles of Milks Emulsion, consigned by Milks Emulsion Co., Terre Haute, Ind., remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped on April 24, May 7, May 14, and June 19, 1919, and transported from the State of Indiana into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of petrolatum, with small amounts of sirup, glycerin, methyl salicylate, and lemon oil.

Misbranding of the article was alleged in substance in the libel, as amended, for the reason that it was labeled in part on the bottles, "Net Weight 29 ounces," or "Net Weight 12 ounces," and in the booklet, "Milks Emulsion contains a great amount of fat," which statements were false and misleading in that the weight of the contents of the bottles in the first three shipments was 21.7 and 9.2 ounces, respectively, and the weight of the contents of the bottles in the fourth shipment was 19.1 and 8.25 ounces, respectively, and the article contained no fat product.

Misbranding was alleged in substance for the further reason that the article was labeled in part, (carton) "A valuable remedy for Dyspepsia, Indigestion, Catarrh of the Stomach and Bowels, \* \* \* Coughs due to Sore Throat, Bronchitis, or Pneumonia, Incipient Consumption, Bronchial Asthma, Catarrhal Croup. \* \* \* strengthens the digestive organs \* \* \* enriching the blood and increasing the flesh. It gives relief in curable Throat, Lung, Stomach, and Bowel Troubles, cleans and heals the afflicted parts and enables the machinery of the body to do its work properly, thus restoring strength and flesh and contributing to perfect health. Is very beneficial in incipient consumption, \* \* \* Coughs due to Sore Throat, Bronchitis or Pneumonia, Bronchial Asthma, Dyspepsia, Indigestion, \* \* \* Especially Beneficial in the Ills of Children. It builds up their system, enriches their blood, improves the appetite, strengthens the throat, lungs and stomach, which are only too often the cause of croupy, weak and puny children. Milks Emulsion relieves catarrhal croup \* \* \* strengthens their children \* \* \* thus rendering them less liable to many of the contagious diseases so common among children," (booklet) " \* \* \* dyspepsia, indigestion, catarrh of the stomach and bowels \* \* \* bronchitis \* \* \* coughs, spasmodic croup, consumption (in its early stages) bronchial asthma \* \* \* stomach trouble in its various forms \* \* \* gastritis \* \* \* catarrh of the stomach and intestines \* \* \* neuralgia of the stomach \* \* \* will start the accumulation of pus from the cavities that formed in the lungs by the eating away of the tissues of the walls of the air cells by the tubercular germ, in ten to twenty-four hours. \* \* \* will cause the consumptive to expectorate very freely, and loosen the cough as well \* \* \* an absolute preventive for spasmodic croup \* \* \* will build up the system, improve the appetite, enrich the blood and strengthen the organs of the throat and lungs which are only too often the cause of croupy, sick and puny children. \* \* \*," which statements regarding the curative and therapeutic effect of the article were false and fraudulent as it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 18, 1919, the case having come on for final disposition, and the Milks Emulsion Company, Terre Haute, Ind., claimant, having consented to a decree, judgment declaring the product to be misbranded was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings, and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

9016. Misbranding of Texas Wonder. U. S. \* \* \* v. 288 Bottles and 127 Bottles of \* \* \* Texas Wonder \* \* \*. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 11855, 11856. I. S. Nos. 9194-r, 9195-r. S. Nos. C-1664, C-1665.)

On December 29, 1919, the United States attorney for the Middle District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 288 bottles and 127 bottles of Texas Wonder, remaining in the original unbroken packages at Montgomery, Ala., alleging that the article had been shipped by the Mallinckrodt



Chemical Co., St. Louis, Mo., on or about November 22, 1919, and by E. W. Hall, St. Louis, Mo., on or about November 29, 1919, respectively, and transported from the State of Missouri into the State of Alabama, and charging misbranding in violation of the Food and Drugs Act, as amended. The product in both consignments was labeled in part: (Carton) "Texas Wonder \* \* \* A Remedy For Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children. \* \* \*." The consignment of November 22 was further labeled: (Circular) "The Texas Wonder! For Kidney and Bladder Troubles, Rheumatism, and Kindred Diseases;" (testimonial Louis A. Portner) " \* \* \* began using The Texas Wonder for stone in the kidneys, inflammation of the bladder and tuberculosis of the kidneys \* \* \* His urine contained 40% pus. \* \* \* was still using the medicine with wonderful results, and his weight had increased \* \* \* ." The consignment of November 29 was further labeled: (Circular) "Read Carefully \* \* \* Texas Wonder, Hall's Great Discovery, \* \* \* In \* \* \* gravel and rheumatic troubles it should be taken every night in 25-drop doses until relieved \* \* \* ."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

It was alleged in substance in the libels that the article was misbranded for the reason that the above-quoted statements were false and fraudulent in that the product contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it on the carton and inclosed circular.

On May 4, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9017. Adulteration and misbranding of canned tuna. U. S. \* \* \* v. 25 Cases \* \* \* of Canned Tuna. Default decree of destruction. (F. & D. No. 12129. I. S. No. 588-r. S. No. E-1948.)**

On February 7, 1920, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 cases of canned tuna, at Tampa, Fla., consigned by the Curtis Corporation, from New York City, alleging that the article had been shipped on or about October 30, 1919, and transported from the State of New York into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: (Cases) "Curtis Quality Tuna Supreme Olive Oil \* \* \* Pure Olive Oil \* \* \* White Meat Only \* \* \* Packed by the Curtis Corporation Long Beach, Cal. (Los Angeles Harbor)."

Adulteration of the article was alleged in the libel for the reason that oils other than olive oil had been mixed and packed with, and substituted wholly or in part for, olive oil, and for the further reason that said product consisted wholly or in part of filthy, decomposed, and putrid animal substances.

Misbranding was alleged in substance for the reason that the packages or label of the article bore statements regarding the said article and the ingredients and substances contained therein, to wit, "Curtis Quality Tuna Supreme Olive Oil," which were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of, and offered for sale under the distinctive name of, another article.

On January 11, 1921, no claimant having appeared for the property, an order was entered finding that the product was subject to condemnation, and it was decreed by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9018. Misbranding of orange marmalade and assorted jams. U. S. \* \* \* v. 368 Cases \* \* \* of Orange Marmalade and 792 Cases \* \* \* of Assorted Jams. Consent decrees of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 13798, 13799. I. S. Nos. 7516-t, 7519-t. S. Nos. E-2833, E-2834.)

On October 20, 1920, 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 libels for the seizure and condemnation of 368 cases, each containing 6 cans of orange marmalade, and 792 cases, each containing 24 cans of assorted jams, remaining unsold in the original unbroken packages, at New York, N. Y., alleging that the articles had been shipped, respectively, on or about May 7, 1920, and March 31, 1920, by the Braden Preserving Co., Inc., Pasadena, Calif., and transported from the State of California into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The marmalade was labeled in part: "Braden's Orange Marmalade \* \* \* Net Contents 7 Lbs." The jams were labeled in part, "Braden's Jam \* \* \* Net Contents 1 Lb. 9 Oz."

Misbranding of the articles was alleged in the libels for the reason that the packages and the labels thereon bore statements regarding the articles and the ingredients and the substances contained therein, to wit, "Net Contents 7 Lbs.," or "Net Contents 1 Lb. 9 Oz.," which were false and misleading and deceived and misled the purchaser, the net contents of each can containing the articles being less than 7 pounds, or less than 1 pound and 9 ounces. Misbranding was alleged for the further reason that said articles were food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages, the contents of each of the said packages being less than 7 pounds or 1 pound and 9 ounces, the amounts marked thereon.

On December 23, 1920, the Sunglo Co., Inc., the claimant and consignee, having admitted the truth of the allegations of the libels and consented to decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the aggregate sum of \$9,500, in conformity with section 10 of the act, conditioned in part that the claimant, at its own expense, cause the goods to be relabeled under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

9019. Adulteration of dates. U. S. \* \* \* v. 400 Packages \* \* \* of Dates. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13809. I. S. No. 3898-t. S. No. C-2561.)

On October 28, 1920, 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 for the seizure and condemnation of 400 packages, more or less, of dates, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by C. C. Parsell Co., Chicago, Ill., on or about July 12, 1920, and transported from the State of Illinois into the State of Wisconsin, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy and decomposed vegetable substance, and was mixed with hair from cowhide wrappings.

On December 17, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9020. Misbranding of Aspirinal. U. S. \* \* \* v. 4½ gross Bottles of \* \* \* Aspirinal. Heard by the court and a jury. Verdict for the Government. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9987. I. S. No. 16165-r. S. No. E-1279.)**

On April 1, 1919, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4½ gross bottles of Aspirinal, remaining in the original unbroken packages at Charleston, S. C., alleging that the article had been shipped by the Aspirinal Laboratories, Atlanta, Ga., on or about March 6, 1919, and transported from the State of Georgia into the State of South Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Aspirinal \* \* \* Contains 10% Alcohol \* \* \* La Grippe, Headaches, Neuralgia and Rheumatism \* \* \* Prepared Only By Aspirinal Laboratories Atlanta, Georgia;" (circular) "Aspirinal The Liquid Cold Remedy;" (wrapper) " \* \* \* The Liquid Cold Remedy;" (shipping boxes) " \* \* \* The Liquid Cold Remedy."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a solution containing sodium salicylate, cascara, a small amount of mydriatic alkaloids (probably from belladonna), and a trace of menthol.

It was alleged in substance in the libel that the article was misbranded in that the statements appearing in and upon the labels, bottles, circulars, wrappers, and boxes, as aforesaid, regarding the article and the curative and therapeutic effect thereof, were false and fraudulent, and the said statements were made by the said Aspirinal Laboratories knowingly and in wanton and reckless disregard of their truth or falsity, and with intent to deceive the purchasers thereof. Misbranding was alleged for the further reason that the packages failed to bear a true and correct statement of the quantity and proportion of alcohol contained therein.

On June 22, 1920, no claimant having appeared for the property, and the case having come on to be heard ex parte before the court and a jury, after the submission of testimony on behalf of the Government, a verdict was returned by the jury finding the goods misbranded as alleged. Thereupon on motion of the United States attorney a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9021. Misbranding of Gillen's Cholera Remedy. U. S. \* \* \* v. 120 Bottles of \* \* \* Gillen's Cholera Remedy. Heard by the court and a jury. Verdict for the Government. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10359. I. S. No. 16387-r. S. No. E-1465.)**

On May 27, 1919, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 120 bottles of Gillen's Cholera Remedy, remaining in the original unbroken packages at Columbia, S. C., alleging that the article had been shipped by the Gillen Remedy Co., Atlanta, Ga., on or about April 23, 1919, and transported from the State of Georgia into the State of South Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Gillen's Cholera Remedy For Hogs & Chickens \* \* \* Gillen Remedy Company Atlanta, Ga.;" "Gillen's Cholera Remedy For Hogs & Chickens \* \* \* For Hogs: When afflicted with cholera, \* \* \* As a Preventative for cholera and to remove worms and as a general tonic give two doses a week. For Fowls: When afflicted with cholera, sorehead and roup, and white diarrhea in little chicks, give \* \* \* twice a day. \* \* \* As a Preventative for cholera, sorehead and roup \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of saponified tar oil and sodium sulphate.

It was alleged in substance in the libel that the article was misbranded in that the above-quoted statements appearing upon the packages and bottles, regarding the curative and therapeutic effects of the article, were misleading, false, and fraudulent, and the said statements were made by the Gillen Remedy Co. knowingly and in wanton disregard of their truth or falsity, and with intent to deceive purchasers thereof.

On June 21, 1920, no claimant having appeared for the property, and the case having come on to be heard *ex parte* before the court and a jury, after the submission of testimony on behalf of the Government, a verdict was returned by the jury finding the goods misbranded as alleged. Thereupon, on motion of the United States attorney, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9922. Misbranding of Bourbon Hog Cholera Remedy. U. S. \* \* \* v. 23 Bottles \* \* \* and 10 Bottles \* \* \* of Bourbon Hog Cholera Remedy. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 11379, 11380. I. S. Nos. 8331-r, 8333-r. S. Nos. C-1493, C-1494.)

On November 26 and on or about October 17, 1919, respectively, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 23 bottles and 10 bottles of Bourbon Hog Cholera Remedy, remaining unsold at Columbus and Dayton, Ohio, respectively, consigned by the Bourbon Remedy Co., Lexington, Ky., on or about August 30 and August 8, 1919, respectively, alleging that the article had been transported from the State of Kentucky into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle and carton) "The Famous Blue Grass Hog Remedy Health to Hogs Bourbon Hog Cholera Remedy \* \* \* For Cholera, Worms, Scours, Cough, Thumps;" (circular) "\* \* \* for Cholera \* \* \* beneficial effects, \* \* \* to Cholera Infected Hogs; \* \* \* For Hog Cholera \* \* \* For Worms in Hogs \* \* \* As a Preventive Against Disease, \* \* \*;" (carton) "\* \* \* cholera infected hogs \* \* \* to effect a cure;" (folder) "\* \* \* for Cholera, Worms, Cough, Thumps \* \* \* a powerful internal germicide. \* \* \* a worm destroyer \* \* \* preventive against disease \* \* \*;" (testimonials) "\* \* \* cholera-infected hog \* \* \* was entirely cured. \* \* \* a sure worm exterminator \* \* \*;" (leaflet) "\* \* \* certain death to all worms and disease breeding parasites in hogs. \* \* \* Bourbon Hog Cholera Remedy \* \* \* possesses wonderful antidotal and purifying properties, which prevent, arrest and cure infectious diseases among swine, simply by destroying the organisms that produce these ailments."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution containing copper, magnesium and ferrous sulphates, free sulphuric acid, and aloes, flavored with oil of sassafras and colored with a red coal-tar color.

Misbranding of the article was alleged in substance in the libels for the reason that the label bore the above-quoted statements regarding the curative or therapeutic effect of the article, which statements were false and fraudulent in that the article contained no ingredient nor combination of ingredients capable of producing the effects claimed, and in that the article was insufficient of itself for the successful treat-

ment and cure of the ailments and diseases for which it was prescribed and recommended.

On October 25 and March 10, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9023. Adulteration and misbranding of tuna fish. U. S. \* \* \* v. 233 Cases, 2,500 Cases, 664 Cases, and 249 Cases of Tuna Fish. Consent decrees of condemnation and forfeiture. Product released under bond.** (F. & D. Nos. 12016 to 12059, incl., 12073 to 12087, incl. I. S. Nos. 13523-r, 14151-r, 13525-r, 14158-r, 14159-r. S. Nos. E-1910, E-1913, E-1973, E-1976.)

On January 9 and February 13, 1920, 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 for the seizure and condemnation of 233 cases, 2,500 cases, 664 cases, and 249 cases of tuna fish, at various places in the Northern District of New York, alleging that the article had been shipped by the White Star Canning Co., E. San Pedro, Calif., on or about September 25, October 2, September 23, and September 13, 1919, respectively, and transported from the State of California into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. A portion of the article was labeled in part, "Radio Brand Blue Fin Tuna \* \* \* White Meat Tuna \* \* \* Selected White Meat of California Tuna \* \* \* White Star Canning Co. San Pedro, Cal." The remainder was labeled in part, "Del Monte Brand California Tuna \* \* \* California Tuna \* \* \* Distributed by California Packing Corporation, Main Office San Francisco, California."

Adulteration of the article was alleged in the libels for the reason that skip-jack or bonita, in the case of the Del Monte brand, or striped tuna (*Gymnosarda pflamvis*), in the case of the Radio brand, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality, and had been substituted wholly or in part for California tuna.

Misbranding was alleged in substance for the reason that the labeling bore statements, designs, and devices regarding the article or the ingredients or substances contained therein which were false and misleading and which were intended to and would deceive and mislead the purchaser into the belief that the article was genuine blue fin white meat tuna, i. e., selected white meat of California tuna, whereas, in truth and in fact, it was not, but was other and inferior meats of other kinds of fish, and for the further reason that it was sold in imitation of another article having a distinctive name.

On March 20 and March 23, 1920, the White Star Canning Co., E. San Pedro, Calif., claimant, having admitted the allegations of the libels and consented to the entry of decrees, it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$4,000, in conformity with section 10 of the act, conditioned in part that the goods be relabeled under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**9024. Adulteration and misbranding of olives. U. S. \* \* \* v. 101 Barrels \* \* \* and 95 Kegs \* \* \* of Olives. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 12514. I. S. No. 9519-r. S. No. C-1832.)

On or about March 20, 1920, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 101 barrels, 30 gallons each, and 95 kegs, 16 gallons each, invoiced as 32,033 pounds,

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net weight, of olives, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by Sam Streva, Los Angeles, Calif., on or about January 21, 1920, and transported from the State of California into the State of Louisiana, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that brine had been substituted in part for olives.

Misbranding of the article was alleged for the reason that the statement of weight marked on the packages was false and misleading and deceived and misled the purchaser, since the weight stated included 5,627 pounds of brine. Misbranding was alleged for the further 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 in terms of weight or measure.

On April 23, 1920, A. Paterno & Sons, New Orleans, La., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to 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 the product be correctly relabeled.

E. D. BALL, *Acting Secretary of Agriculture.*

**9025. Misbranding of Thomas Emmenagogue Pills. U. S. \* \* \* v. 4 Boxes \* \* \* of Thomas Emmenagogue Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13491. I. S. No. 443-t. S. No. C-2338.)**

On October 21, 1920, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 boxes of Thomas Emmenagogue Pills, remaining unsold in the original unbroken packages at Erick, Okla., alleging that the article had been shipped by the Palestine Drug Co., St. Louis, Mo., on or about January 14, 1920, and transported from the State of Missouri into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of ferrous sulphate, aloes, and an unidentified alkaloid.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements of the curative and therapeutic effects thereof, (box label) "Emmenagogue Pills recommended for Amenorrhœa, \* \* \* and other Menstrual Troubles. \* \* \* beginning treatment \* \* \* before the regular monthly period. \* \* \* continue \* \* \* until relief is obtained," were false and fraudulent, since the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On January 10, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9026. Misbranding of Lozon Pills. U. S. \* \* \* v. 47 Packages of Lozon Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13514. I. S. No. 5129-t. S. No. E-2642.)**

On August 26, 1920, 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 of information against 47 packages of Lozon Pills, consigned by the Lafayette Co., Berlin, N. H., on or about April 24, 1920, remaining

in the original unbroken packages at Boston, Mass., alleging that the article had been shipped and transported from the State of New Hampshire into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of emodin, nux vomica alkaloids, damiana, arsenic, and iron carbonate.

Misbranding of the article was alleged in the libel of information for the reason that the following statements regarding the curative and therapeutic effects thereof were false and fraudulent, (box label) "Restores Vitality to weak men, whether lost by \* \* \* excesses of any kind, \* \* \* will \* \* \* tone up weak men, \* \* \*" (French) " \* \* \* give a youthful ardor \* \* \*," (box wrapper) (English and French) " \* \* \* For Men's Health \* \* \* will \* \* \* tone up weak men. \* \* \* No cure no pay," (circular) " \* \* \* give new life \* \* \* recommended for young \* \* \* middle age and old men. \* \* \* troubles often caused by \* \* \* abuses and bad habits so common among men and boys. \* \* \*" (French) "To give vitality and new energy \* \* \*" (English and French) "Dyspepsia \* \* \* Kidney Troubles \* \* \* Rheumatism \* \* \* Affections of The Nerves," in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 12, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9027. Misbranding of Compound Tansy, Pennyroyal, and Cotton Root Pills. U. S. \* \* \* v. 7 Boxes of Compound Tansy, Pennyroyal, and Cotton Root Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13726. Inv. No. 23288. S. No. C-2527.)**

On October 1, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 boxes of Compound Tansy, Pennyroyal, and Cotton Root Pills at Newport, Ark., alleging that the article had been shipped on or about June 18, 1920, by the Allan-Pfeiffer Chemical Co., St. Louis, Mo., and transported from the State of Missouri into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of ferrous sulphate, oil of pennyroyal, and aloes.

It was alleged in substance in the libel that the article was misbranded for the reason that there appeared in the circular inclosed with the same the following statements, "A Safe and Effectual Remedy in Suppressed or Painful Menstruation. \* \* \* Four or five days immediately preceding the expected appearance of the menstrual flow active treatment should begin. Take one Pill \* \* \* To Prevent Irregularities. Take one pill three times daily for four or five days preceding the expected appearance of the menstrual period. For Painful Menstruation.—The same treatment as prescribed for suppression," all of which were false and fraudulent in that the remedy contained no ingredients or combination of ingredients that would produce the therapeutic or medicinal effects claimed for it.

On January 4, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9028. Misbranding of Allan's Star Brand Pills. U. S. \* \* \* v. 5 Packages of Allan's Star Brand Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13729. Inv. No. 23287. S. No. C-2526.)**

On October 1, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 packages of Allan's Star Brand Pills, at Newport, Ark., alleging that the article had been shipped on or about June 4, 1920 (1919), by the Allan-Pfeiffer (Chemical Co., St. Louis, Mo., and transported from the State of Missouri into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of ferrous sulphate, aloes, and starch.

It was alleged in substance in the libel that the article was misbranded for the reason that there appeared on the circular inclosed with the same the following statements, "A Good Remedy In Suppressed Or Painful Menstruation \* \* \* to bring on the menses \* \* \* immediately preceding the expected appearance of the menstrual flow \* \* \* treatment should begin. \* \* \* Take one Pill \* \* \* Continue this treatment \* \* \* until a satisfactory result is secured. \* \* \* four or five (days) preceding the expected appearance of the menstrual period. \* \* \* For Painful Menstruation—The same treatment prescribed for suppression," all of which were false and fraudulent in that the remedy contained no ingredient or combination of ingredients that would produce the therapeutic or medicinal effects claimed for it.

On January 4, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9029. Adulteration of frozen eggs. U. S. \* \* \* v. 900 Cans of Frozen Eggs. Judgment of condemnation. Product released under bond. (F. & D. No. 14110. I. S. No. 7615-t. S. No. E-3010.)**

On December 23, 1920, the United States attorney for the Middle 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 for the seizure and condemnation of 900 cans of frozen eggs, remaining unsold in the original unbroken packages at Bloomsburg, Pa., alleging that the article had been shipped by Teichner & Schneider, Chicago, Ill., on or about October 26, 1920, and transported from the State of Illinois into the State of Pennsylvania, and charging adulteration under the Food and Drugs Act. The article was labeled in part, "Whole Eggs Ill. License Breaker No. 10 Teichner & Schneider 1105 South Morgan Street Chicago, Ill."

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

On January 15, 1921, Teichner & Schneider, Chicago, Ill., having entered an appearance as claimants of the property, and the case having come on for final disposition, judgment of condemnation was entered, and it was ordered by the court that the product be released to said claimants upon payment of the costs of the proceedings, and the execution of a bond in the sum of \$8,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*



**9030 (Supplement to Notice of Judgment 8031). Misbranding of Prescription 1000 External and Prescription 1000 Internal. U. S. \* \* \* v. 3 Dozen Bottles of \* \* \* Prescription 1000 \* \* \* External \* \* \* and 7 Dozen Bottles of \* \* \* Prescription 1000 Internal. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 10520, 10533. I. S. Nos. 15015-r, 15016-r. S. Nos. E-1505, E-1514.)

On January 5, 1921, a notice of judgment was issued, covering the product referred to in the above heading, as Notice of Judgment 8031. The heading of said notice of judgment should have included a reference to Food and Drugs No. 10520. The United States attorney consolidated the proceedings arising under the two Food and Drug numbers referred to above into one action, and on January 13, 1920, a default decree of condemnation, forfeiture, and destruction was entered as stated in Notice of Judgment.8031.

E. D. BALL, *Acting Secretary of Agriculture.*

**9031. Adulteration and misbranding of Big G. U. S. \* \* \* v. 4 Dozen Bottles \* \* \* and 7 Dozen Bottles \* \* \* of Big G. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 10802, 10803. I. S. Nos. 7711-r, 7714-r. S. Nos. C-1337, C-1338.)

On July 1, 1919, 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 libels for the seizure and condemnation of 4 dozen bottles and 7 dozen bottles, more or less, of Big G, at Kansas City, Mo., alleging that the article had been shipped on or about March 30, 1918, and May 20, 1919, by the Evans Chemical Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of borax and berberine. No hydrastine was present.

Adulteration of the article was alleged in substance in the libels for the reason that the cartons containing the product bore a label stating that said product was a compound of borated goldenseal, whereas it contained no borated goldenseal, and its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding was alleged in substance for the reason that the labels on the cartons, containers, and bottles in which the article was shipped, and the circulars accompanying said article, represented that it was a compound of borated goldenseal, which said labels and statements were fraudulent in that the article contained no goldenseal.

On November 17, 1919, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9032. Misbranding of BRSCO. U. S. \* \* \* v. 447 Bottles \* \* \* of BRSCO. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 10814, 10815, 10816. I. S. Nos. 7712-r, 7713-r, 7715-r, 7716-r, 7717-r, 7718-r. S. Nos. C-1343, C-1344, C-1346.)

On July 7, 1919, 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 a libel for the seizure and condemnation of 447 bottles, more or less, of BRSCO, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped between October 26, 1918, and April 23, 1919, by the Brsco Medicine Co., a copartnership, composed of E. H. Cook, Edgar Briscoe, B. G. Dowell, and J. J. Riner, Nowata, Okla., and transported from the State of Oklahoma into the State of Missouri, and charging misbranding in violation

of the Food and Drugs Act, as amended. The article was labeled in part, "BRSCO \* \* \* Prepared by BRSCO MEDICINE CO. Nowata, Okla."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of light mineral oil, turpentine, water, creosote, and a small amount of hypophosphites.

It was alleged in substance in the libel that the article was misbranded for the reason that certain statements upon the cartons, containers, and bottles containing the article, and certain statements contained in the circulars accompanying said article, regarding the therapeutic or curative effect thereof, falsely and fraudulently represented it to be effective for the treatment of tuberculosis in its early stages, bronchitis, Spanish influenza, asthma, ordinary coughs and colds, hay fever, and la grippe, whereas said article contained no ingredients or combination of ingredients capable of producing the effects claimed for it.

On November 17, 1919, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

9033. Misbranding of E. & I. Treatment. U. S. \* \* \* v. 30 Cartons of E. & I. Treatment. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11471. I. S. No. 15116-r. S. No. E-1821.)

On October 10, 1919, 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 for the seizure and condemnation of 30 cartons of E. & I. Treatment, consigned by the Henry S. Wampole Co., Baltimore, Md., remaining in the original unbroken packages at Pottsville, Pa., alleging that the article had been shipped on or about May 17, 1919, and transported from the State of Maryland into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of two preparations, capsules for internal use and a liquid for injection. The contents of the capsules consisted essentially of cubebs, copaiba balsam, alum, and magnesia, and the liquid consisted essentially of zinc chlorid, glycerin, water, and a red coloring matter.

It was alleged in substance in the libel that the product was misbranded for the reason that the circular accompanying it contained the following statements regarding the curative or therapeutic effects of said article and the ingredients or substances contained therein, "Self-Help External & Internal Treatment For the Relief and Prevention of Gonorrhoea (Clap), Blenorrhoea (Gleet), Leucorrhoea (Whites), and allied forms of Acute and Inflammatory Mucous Discharges from the Urethra (Urine Canal). \* \* \* There may, however, be cases of Gonorrhoea Sicca, or dry clap, in which there is no discharge. \* \* \* For females the External treatment should alone be used as a vaginal injection \* \* \* If attended with ulceration at the orifice of the vagina, apply pledgets of lint wet with the External treatment. Leucorrhoea or Whites. For Leucorrhoea or Whites use the External treatment as an injection, \* \* \*," which were false and fraudulent in that said article would not produce the curative or therapeutic effects which purchasers are led to expect by said statements, which were applied to said article with a knowledge of their falsity for the purpose of defrauding purchasers thereof.

On November 10, 1919, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9034. Misbranding of Benetol. U. S. \* \* \* v. 22 Dozen Packages \* \* \* of \* \* \* Benetol. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11592. I. S. No. 8186-r. S. No. C-1580.)**

On November 19, 1919, 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 for the seizure and condemnation of 22 dozen packages, more or less, of Benetol, at Chicago, Ill., alleging that the article had been shipped on October 8, 1919, by the Benetol Co., Minneapolis, Minn., and transported from the State of Minnesota into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an alkaline emulsion of alpha-naphthol, soap, glycerin, and traces of alcohol and essential oils.

It was alleged in substance in the libel that the article was misbranded for the reason that the following statements regarding the curative and therapeutic effect thereof, appearing in the booklet inclosed in each of the cartons inclosing the article, to wit, "Men and Women—Will find Benetol a highly efficient douche or injection, or local wash, to insure against infection or to quickly check germ diseases. \* \* \* Gonorrhoea—Take internally twenty drops in hot water after meals and before retiring. As injection, irrigation or douche use thirty drops of Benetol per glass of warm water or teaspoonful per pint of warm water. Use at night before retiring. \* \* \* Gleet—Start treatment as above and gradually increase injection, etc., to teaspoonful per glass of water if necessary," falsely and fraudulently represented the article to be effective as a remedy for the several diseases, ailments, and affections mentioned in the booklet contained in each of said cartons, whereas, in truth and in fact, it was not.

On April 3, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9035. Misbranding of Avicol. U. S. \* \* \* v. 60 Packages and 15 Packages of Avicol. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 12276, 12277. I. S. Nos. 7351-r, 7352-r. S. Nos. C-1796, C-1805.)**

On March 6, 1920, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 60 packages and 15 packages of Avicol, remaining in the original unbroken packages at Nashville, Tenn., alleging that the 60 packages had been shipped on or about September 17, 1919, by the E. P. Delivery Co., invoiced by Burrell-Dugger Co., Indianapolis, Ind., and that the 15 packages had been shipped by said Burrell-Dugger Co. on or about October 15, 1919, and transported from the State of Indiana into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "For the Cure & Prevention of all Infectious Diseases of Chickens, Pigeons & Turkeys White Diarrhoea, Cholera, Roup, Colds, Canker, Limberneck, Going Light, Black-Head, Etc. For the Cure of White Diarrhoea, Cholera, Limberneck, Colds, Canker and Going-Light, use 1 tablet in each pint of fresh drinking water every day. For the cure of Roup and Black-head, use 2 tablets in each pint of fresh drinking water every day. For Prevention of all diseases of poultry \* \* \* use 1 tablet in each pint of fresh drinking water every other day;" (circular) "\* \* \* the most ideal formula for the cure and prevention of all infectious diseases of chickens, pigeons and turkeys. It is scientifically compounded to make poultry healthy and keep them healthy \* \* \* Avicol for the Cure of White Diarrhoea \* \* \* Avicol for the Cure of Roup, Cholera, Colds, Etc. \* \* \* Blackhead in Turkeys \* \* \* a powerful bowel

regulator, internal antiseptic \* \* \* cure White Diarrhoea. \* \* \* When I received the Avicol I was losing 10 and 15 chicks per day with white diarrhoea. I haven't lost a one since. \* \* \* Avicol is a wonderful remedy for chicken cholera.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of tablets containing, essentially, potassium bichromate, casein, sugar, starch, and talc.

It was alleged in substance in the libels that the article was misbranded for the reason that the above-quoted statements, regarding the curative and therapeutic effects of said article, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On October 22, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9036. Adulteration and misbranding of molasses vinegar. U. S. \* \* \* v. 15 Barrels, 10 Barrels, and 13 Barrels of Molasses Vinegar. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 12396, 12848, 12849. I. S. Nos. 12599-r, 403-r, 404-r. S. Nos. E-2077, E-2323, E-2324.)

On May 4 and June 7, 1920, 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 libels of information praying the seizure and condemnation of 15 barrels, 10 barrels, and 13 barrels of molasses vinegar at Fall River and Worcester, Mass., consigned July 26 and July 23, 1919, and February 25, 1920, by the Carbon Products Co., Providence, R. I., alleging that the article had been shipped and transported from the State of Rhode Island into the Commonwealth of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Molasses Vinegar," or "Vinegar Made From Molasses," "Carbon Products Co."

Adulteration of the 15 barrels was alleged in the libels of information for the reason that excessive water had been mixed and packed with and substituted wholly or in part for said article, and for the further reason that it was colored in a manner whereby inferiority was concealed. Adulteration of the remainder of the article was alleged for the reason that distilled vinegar had been mixed and packed with and substituted wholly or in part for molasses vinegar, and for the further reason that it was colored in a manner whereby damage or inferiority was concealed.

Misbranding of the article was alleged for the reason that the statement, "Molasses Vinegar," was false and misleading and deceived and misled the purchaser in that the article was not molasses vinegar, and for the further reason that said article was an imitation of, and offered for sale under the distinctive name of, another article.

On January 31, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9037. Misbranding of Texas Wonder. U. S. \* \* \* v. 6 Dozen Bottles and 3 Dozen Bottles of Texas Wonder. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 12906, 12907. S. Nos. C-1970, C-1971.)

On June 17, 1920, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 6 dozen bottles and 3 dozen bottles of Texas Wonder, remaining in the original unbroken packages at Nashville, Tenn., alleging that the article had been shipped on or about June 5, 1920, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri

into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Texas Wonder."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

It was alleged in substance in the libels that the cartons containing the article and the circulars accompanying it contained the following statements regarding the curative and therapeutic effects of such article, (carton) "A Remedy For Kidney and Bladder Troubles Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children," (circular) "In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved," which were false and fraudulent, in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed on said carton and in said circular.

On January 6, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9038. Misbranding of Texas Wonder. U. S. \* \* \* v. 49 Bottles and 34 Bottles of Hall's Texas Wonder. Default decrees of destruction.** (F. & D. No. 13059. I. S. Nos. 9101-t, 9102-t. S. Nos. E-2436, E-2442.)

On July 22, 1920, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 49 bottles and 34 bottles of Hall's Texas Wonder, at Tampa, Fla., consigned by E. W. Hall, St. Louis, Mo., alleging that the article had been shipped on or about May 7 and June 29, 1920, and transported from the State of Missouri into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

It was alleged in substance in the libels that the article was misbranded for the reason that the cartons containing the article and the circulars accompanying it contained the following statements regarding the curative and therapeutic effect of said article, (cartons, first shipment) "A Remedy For Kidney and Bladder Troubles Weak and Lame Backs, Rheumatism and Gravel, Regulates Bladder Trouble in Children," (cartons, second shipment) "Recommended For Kidney and Bladder Troubles When Operation Not Required Weak or Lame Backs Rheumatism, Gravel and Bladder Troubles in Children," (circular, both shipments) "Read Carefully \* \* \* In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved," all of which said statements were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effect [claimed] in said statements above set forth.

On February 1, 1921, no claimant having appeared for the property, judgment was entered finding that the article was subject to condemnation, and it was ordered by the court that the same be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9039. Misbranding of Yellow Pine Compound. U. S. \* \* \* v. David F. H. McDowell (Yellow Pine Extract Co). Plea of nolo contendere. Fine, \$250.** (F. & D. No. 13160. I. S. No. 13520-r.)

On January 24, 1921, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against David F. H. Mc-

Dowell, trading as the Yellow Pine Extract Co., Pittsburgh, Pa., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about April 5, 1919, from the State of Pennsylvania into the State of New York, of a quantity of Yellow Pine Compound which was misbranded. The article was labeled in part, "Yellow Pine Compound \* \* \* Prepared By Yellow Pine Extract Co. Pittsburgh, Pa."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was turpentine mixed with magnesium oxid and a small amount of jalap.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the wrappers and bottles, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for rheumatism and sciatica, when, in truth and in fact, it was not.

On January 31, 1921, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$250.

E. D. BALL, *Acting Secretary of Agriculture.*

**9040. Misbranding of Hall's Texas Wonder. U. S. \* \* \* v. 54 Dozen Bottles \* \* \* and 30 Dozen Bottles \* \* \* of Drug Products. Decrees of condemnation and forfeiture. Product released on bond. (F. & D. Nos. 8058, 8059. I. S. Nos. 12425-m, 12426-m. S. Nos. C-644, C-645.)**

On or about February 13, 1917, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district labels for the seizure and condemnation of 54 dozen bottles and 30 dozen bottles of drug products at Houston, Tex., alleging that the article had been shipped on January 9, 1917, and September 8, 1916, respectively, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

It was alleged in substance in the labels that the article was misbranded for the reason that the cartons containing the bottles bore the following label, "Dr. E. W. Hall, Sole Manufacturer, St. Louis, Mo.," and that the bottle labels contained the following, "Dr. E. W. Hall, Sole Manufacturer, Office 2926 Olive Street, St. Louis, Mo.," which said labeling or printing was false and misleading in that it represented that the said E. W. Hall, who was the manufacturer of the said drug products or medicine, was a physician, while, in truth and in fact, he was not. It was alleged in substance that the article was misbranded for the further reason that the carton inclosing the bottles bore the following label, "A Texas Wonder Hall's Great Discovery Contains 43% Alcohol Before Diluted. 5% After Diluted The Texas Wonder, Hall's Great Discovery, for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism, Dissolves Gravel. Regulates Bladder Trouble in Children. One small bottle is 2 month's treatment and seldom fails to cure any case above mentioned. Price, One Dollar Per Bottle," which said label, regarding the curative and therapeutic effects of the article, was false and fraudulent, in that said article contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed for it as set forth by the printed matter on said carton.

On October 21, 1918, the said E. W. Hall, claimant, having petitioned the court to have the product delivered to him, it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the aggregate sum of \$588, in conformity with section 10 of the

act, and that the goods be held by said claimant, subject to the orders of the court, pending determination of case D. L. 241, "United States of America, Libellant, v. 141 Bottles, more or less, of Drug Products."

On February 5, 1921, the matter having come on for final disposition, and it appearing to the court that on July 21, 1919, judgment was entered in said cause D. L. 241, condemning and forfeiting said drug products as being misbranded, and that said cause had been appealed to the United States Circuit Court of Appeals for the Fifth Circuit, and that the judgment of the District Court had been affirmed by the said Court of Appeals, judgment of condemnation and forfeiture was entered in the present cases, and it appearing to the court that the said claimant had theretofore filed bond in conformity with section 10 of the act, and that the goods had been delivered to him, it was ordered by the court that the cause be closed.

E. D. BALL, *Acting Secretary of Agriculture.*

**9041. Adulteration and misbranding of maple sap sirup. U. S. \* \* \* v. New England Maple Syrup Co., a Corporation. Plea of nolo contendere. Fine, \$25. (F. & D. No. 8501. I. S. Nos. 2870-m, 1736-m.)**

On April 3, 1918, 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 an information against the New England Maple Syrup Co., a corporation, Cambridge, Mass., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 15 and March 30, 1916, from the State of Massachusetts into the States of Connecticut and Rhode Island, of quantities of alleged maple sap sirup which were adulterated and misbranded. The article was labeled in part, "New England Brand Vermont Maple Sap Syrup Choicest Quality Absolutely Pure. New England Maple Syrup Co. Boston."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it was apparently a mixture of cane sugar and maple sirups.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, sugar sirup, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality, and had been substituted in part for sap sirup, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Maple Sap Syrup \* \* \* Absolutely Pure," borne on the label attached to the bottles containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article consisted exclusively of maple sap sirup, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said article consisted exclusively of maple sap sirup, whereas, in truth and in fact, it did not consist exclusively of maple sap sirup, but did consist of a mixture composed in part of sugar sirup.

On September 23, 1919, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**9042. Misbranding of Antifebrom, Regilaterro No. 1, Lekarstwo Na Szkorbut, Lekarstwo przeciw Pijanstwu, Krople Bobrowe, Krople Maciezne, Gardlelek, Krople Nazencowe, and Krople Laurowe. U. S. \* \* \* v. Dr. John Chmiell Co., a Corporation. Plea of nolo contendere. Fine, \$25. (F. & D. No. 8812. I. S. Nos. 3729-m to 3737-m, incl.)**

On July 27, 1918, 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 an information against the Dr. John Chmiell Co., a corporation, Boston, Mass., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about January 24, 1917, from the State of Massachusetts into the State of New Hampshire, of quantities of Antifebrom, Regilaterro No. 1, Lekarstwo Na Szkorbut, Lekarstwo przeciw Pijanstwu, Krople Bobrowe;

Krople Maciczne, Gardlolek, Krople Nazemcowe, and Krople Laurowe, which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed Antifebrom to be a hydro-alcoholic solution containing iron, quinine, and strychnine, with sulphuric and citric acids, probably as quinine sulphate and iron and strychnine citrate; Regilatero No. 1 to be a hydro-alcoholic solution of aloes; Lekarstwo Na Szkorbut to be a glucose sirup containing a small amount of alum and copper sulphate in solution; Lekarstwo przeciw Pijanstwu to be powdered ipecac with sodium bromid and a small amount of ammonium salts, and to contain a high percentage of mineral impurities; Krople Bobrowe to be a hydro-alcoholic solution containing strychnine, iron, lime, and magnesium, united with sulphuric, citric, and phosphoric acids; Krople Maciczne to be a mixture of alcohol, ether, and water, containing emodin bearing drugs; Gardlolek to be a solution containing boric acid, menthol, and thymol; Krople Nazemcowe to be a hydro-alcoholic solution containing an emodin bearing drug, probably senna, also gentian and capsicum, but no alkaloids; and Krople Laurowe to be an extract of bitter almond.

Misbranding of the articles was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles and cartons, falsely and fraudulently represented the articles to be effective, with respect to the Antifebrom, to improve digestion and to remove all kinds of stomach ailments, rheumatism, and fever, as a remedy for all chills, as a remedy and sure cure for colds, fever, influenza, grippe, and malaria, and as a preventive of all kinds of disease; with respect to Regilatero No. 1, as effective for the thorough cleaning of the liver, kidneys, and blood, to prevent smallpox, as a remedy for rheumatism, kidney troubles, dyspepsia, all kinds of fevers, all stomach disorders, all kinds of sores, inflammations, swellings, colds, coughs, and aches, and as a special remedy for headaches; with respect to the Lekarstwo Na Szkorbut, as effective as a remedy and cure for scurvy; with respect to the Lekarstwo przeciw Pijanstwu, as effective as a remedy and cure for the drink habit; with respect to the Krople Bobrowe, as effective as a remedy for all sorts of feminine ailments, lack of strength and pleasure of life, weariness and disability to perform work, and as a remedy for all pains and aches, either as a result of sickness or some great grief or sorrow, and helpful for infirmities of women, and for women desiring to have children; with respect to the Krople Maciczne, as effective as a womb remedy, as a cure for rheumatism, dropping, loosening, and all sorts of pains and ailments of the womb, and as a remedy for all kinds of womb troubles; with respect to the Gardlolek, as effective as a remedy for diphtheria; with respect to the Krople Nazemcowe, as effective as a remedy for pains in the stomach caused by diarrhea, and as a remedy for faintness; and with respect to the Krople Laurowe, as effective as a remedy for heart troubles, when, in truth and in fact, they were not.

Misbranding was alleged with respect to the Krople Maciczne for the further reason that the statements, to wit, "Containing 50% Alcohol," and "Alcohol 60 p. c.," borne on the carton and bottle, respectively, containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained 50 and 60 per cent, respectively, of alcohol, whereas, in truth and in fact, the article did not contain either 50 or 60 per cent of alcohol, but contained a less amount, to wit, 11.30 per cent of alcohol, and for the further reason that the article contained alcohol and ether, a derivative of alcohol, and the label failed to bear a statement of the quantity or proportion of alcohol and ether contained therein. Misbranding was alleged with respect to the Krople Laurowe for the further reason that the statement, "Contains 25% Alcohol," borne on the cartons and bottles containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained 25 per cent of alcohol, whereas, in truth and in fact, it contained



more than 25 per cent of alcohol, to wit, 35.94 per cent of alcohol, and for the further reason that the article contained alcohol and the label failed to bear a statement of the quantity or proportion of alcohol contained therein.

On September 24, 1919, a plea of *nolo contendere* to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**9043. Misbranding of cottonseed meal. U. S. \* \* \* v. United Oil Mills, a Corporation.**  
Plea of guilty. Fine, \$25 and costs. (F. & D. No. 8925. I. S. No. 19896-m.)

On November 11, 1918, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the United Oil Mills, a corporation, Hope, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 16, 1916, from the State of Arkansas into the State of Kansas, of a quantity of cottonseed meal which was misbranded. The article was labeled in part, "Milko Cotton Seed Meal."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results: Ether extract (crude fat), 5.20 per cent; crude fiber, 16.82 per cent; and crude protein, 36.20 per cent.

Misbranding of the article was alleged in the information for the reason that the statements, "Guaranteed analysis \* \* \* Protein 38.62 to 43% Fat 5.50 to 9% Crude Fibre 8 to 10%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained not less than 38.62 per cent of protein and 5.50 per cent of fat, and not more than 10 per cent of crude fiber, and for the further reason that the article was labeled as aforesaid so as to mislead and deceive the purchaser into the belief that it contained not less than 38.62 per cent of protein and 5.50 per cent of fat, and not more than 10 per cent of crude fiber, whereas, in truth and in fact, said article did contain less than 38.62 per cent of protein and 5.50 per cent of fat, and more than 10 per cent of crude fiber, to wit, 36.20 per cent of protein, 5.20 per cent of fat, and 16.82 per cent of crude fiber.

On May 4, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**9044. Misbranding of cottonseed meal. U. S. \* \* \* v. The Union Seed & Fertilizer Co., a Corporation.** Plea of guilty. Fine, \$50 and costs. (F. & D. No. 8936. I. S. No. 19967-m.)

On November 19, 1918, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Union Seed & Fertilizer Co., a corporation, having a place of business at England, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 28, 1916, from the State of Arkansas into the State of Michigan, of a quantity of cottonseed meal which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed a crude fiber content of 15.87 per cent, and a protein content of 31.94 per cent.

Misbranding of the articles was alleged in the information for the reason that the statement, to wit, "Guaranteed Analysis Protein 36 to 38.50% \* \* \* Crude Fibre 12 to 15.00%," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 36 per cent of protein and not more than 15 per cent of crude fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 36 per cent of protein and not more than 15

per cent of crude fiber, whereas, in truth and in fact, it did contain less than 36 per cent of protein and more than 15 per cent of crude fiber, to wit, approximately 31.94 per cent of protein and 15.87 per cent of crude fiber.

On March 21, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**9045. Adulteration of shell eggs. U. S. \* \* \* v. John H. Kennedy (Iona Mercantile Co.).**  
Plea of guilty. Fine, \$25. (F. & D. No. 9896. I. S. No. 5555-r.)

On July 21, 1919, the United States attorney for the District of South Dakota, 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 H. Kennedy, trading as Iona Mercantile Co., Iona, S. Dak., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 10, 1918, from the State of South Dakota into the State of Nebraska, of a quantity of shell eggs which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed 233, or 12.9 per cent, inedible eggs, consisting of black rots, mixed or white rots, spot rots, heavy blood rings.

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

On August 8, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**9046. Misbranding of Stillwagon's Medicated Stock Food. U. S. \* \* \* v. 7 Dozen 24 Ounce Packages and 1 Dozen 64-Ounce Packages \* \* \* of \* \* \* Stillwagon's Medicated Stock Food. Default decree of condemnation, forfeiture, and destruction.**  
(F. & D. No. 10554. I. S. No. 7818-r. S. No. C-1279.)

On June 12, 1919, the United States attorney for the Eastern 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 for the seizure and condemnation of 7 dozen 24-ounce packages and 1 dozen 64-ounce packages of Stillwagon's Medicated Stock Food, consigned by the Stillwagon Food Co., St. Louis, Mo., remaining unsold in the original and unbroken packages at East St. Louis, Ill., alleging that the article had been shipped on or about April 5, 1919, and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture composed essentially of ground gentian, charcoal, sulphur, sodium chlorid, and sulphates, including ferrous sulphate.

Misbranding of the article was alleged in substance in the libel for the reason that the statements on the labels, respectively, "24 Oz.," and "64 Oz.," were false and misleading and deceived and misled the purchaser in that the packages contained less than 24 ounces and 64 ounces, respectively; for the further reason that the article was food in package form and the quantity of the contents of the package was not stated in terms of weight or measure on the outside thereof; and for the further reason that the following statements appearing on the label and in the circular, regarding the curative and therapeutic effects of said article, (carton) " \* \* \* Stillwagon's Food is a sure remedy for all diseases arising from Indigestion and Impure Blood; also a preventative for Hog Cholera. \* \* \* To relieve Scours in Calves \* \* \* An Invaluable Remedy In the treatment of diseases peculiar to Horses, such as \* \* \* Farcy, Distemper, \* \* \* Founders, \* \* \* Bots, \* \* \* Diseases of the Kidneys and Urinary Organs, \* \* \* and all Diseases arising from Impure Blood. \* \* \* In all afflictions of horses, such as \* \* \* Distemper, Pinkeye, Farcy, \* \* \* Impure Blood, Etc., \* \* \* Swine

Cholera \* \* \* As a Preventative, feed once or twice a day \* \* \* Still-wagon's Food Cures Where Others Fail \* \* \* Cures and prevents disease in Horses, Cattle, Hogs, Colts, Calves, Lambs and Pigs. \* \* \*," (circular) " \* \* \* Hogs fed on it will keep free from disease \* \* \* purifies the blood \* \* \* prevents colic and other diseases, \* \* \* an invaluable remedy in the treatment of diseases peculiar to horses, such as \* \* \* farcy, distemper \* \* \* founders, bots, \* \* \* Diseases of the kidneys and urinary organs \* \* \* and diseases arising from impure blood \* \* \*," were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On September 1, 1919, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9047. Misbranding of Big G. U. S. \* \* \* v. 8 Dozen Bottles of \* \* \* Big G. Default decree of destruction.** (F. & D. No. 10556. I. S. No. 16509-r. S. No. E-1516.)

On June 20, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 dozen bottles of an article labeled in part "Big G," at Jacksonville, Fla., consigned by the Evans Chemical Co., Cincinnati, Ohio, alleging that the article had been shipped on or about November 9, 1918, and transported from the State of Ohio into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of borax and berberine. No hydrastine was present.

It was alleged in the libel that the strength and purity of the article fell below the professed standard and quality under which it was sold. Misbranding of the article was alleged in substance for the reason that the label on the cartons containing it bore the following statement, "A compound of Borated Goldenseal," whereas it contained no borated goldenseal. It was alleged in substance that the article was misbranded for the further reason that the label upon the cartons and upon the bottles and in the booklets accompanying the article contained the following statements regarding the curative and therapeutic effect of the article, "Big G A compound of Borated Goldenseal a remedy for Catarrh, Hay Fever, and Inflammations, Irritations or Ulcerations of mucous membranes or Linings of the Nose, Throat, Stomach and Urinary Organs," "Big G a nonpoisonous Tonic \* \* \* A Treatment for Un-natural Discharges of the urinary organs, Catarrh, Hay Fever and Inflamed, Ulcerated, Itching conditions of the skin and mucous membrane or linings of the Mouth, Nose, Throat, Eye and Ear," "Catarrh \* \* \* chronic, of the Head. \* \* \* Hay Fever, \* \* \* Inflammation of the Eye. \* \* \* Cystitis \* \* \* Gastritis—Catarrh of the Stomach. \* \* \* Haemorrhoids—Piles. \* \* \* Throat Troubles. \* \* \* Gonorrhoea \* \* \* Gleet \* \* \* Chronic Gonorrhoea \* \* \* Stricture \* \* \* Folliculitis. \* \* \* Gonorrhoeal Prostatitis. \* \* \* Gonorrhoeal Cystitis. \* \* \* As a preventative \* \* \* Leucorrhoea—Whites—Catarrh of the Vagina. \* \* \* Gonorrhoea in Women," and other venereal diseases, which said statements were false, fraudulent, and misleading in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effect claimed in the statements set forth above.

On February 1, 1921, no claimant having appeared for the property, judgment was entered finding that the product was subject to condemnation, and it was ordered by the said court that said product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9048. Adulteration and misbranding of canned corn. U. S. \* \* \* v. 1,200 Cases of Canned Corn. Product destroyed by fire. Case dismissed upon payment of costs by claimant.** (F. & D. No. 10572. I. S. No. 7688-r. S. No. C-1286.)

On June 12, 1919, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,200 cases, each case containing 24 cans of corn, remaining in the original unbroken packages at Saginaw, Mich., alleging that the article had been shipped by A. A. Linton, Clarksville, Ohio, October 19, 1918, and transported from the State of Ohio into the State of Michigan, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Buckeye Brand Extra Fine Sugar Corn Packed by A. A. Linton, Clarksville, Ohio."

Adulteration of the article was alleged in the libel for the reason that another substance, to wit, field corn, had been substituted for sugar corn, which the cases and cans therein were represented to contain.

Misbranding was alleged in substance for the reason that the labels on the cases and cans as above quoted were false and misleading in that they indicated that the article was sugar corn, and for the further reason that the labels aforesaid bore a statement, regarding the contents of the cases and cans and the ingredients and substances contained therein, which was calculated to deceive the purchaser into the belief that the article was sugar corn, when, in truth and in fact, it was field corn.

On May 11, 1920, the product having been previously destroyed by fire, and the case having come on for final disposition, judgment of the court was entered, ordering that the case should be dismissed upon payment of the costs of the proceedings by the claimant, Hart Bros., Saginaw, Mich.

E. D. BALL, *Acting Secretary of Agriculture.*

**9049. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 15 Barrels of Vinegar. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 10787. I. S. No. 12737-r. S. No. E-1620.)

On July 14, 1919, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 barrels of vinegar, consigned on April 15, 1919, remaining unsold in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped by F. E. Jewett & Co., Lowell, Mass., and transported from the State of Massachusetts into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "F. E. Jewett & Co. Pure Cider Vinegar Made From Apples."

Adulteration of the article was alleged in the libel for the reason that distilled vinegar and excessive water had been mixed and packed therewith, so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for said article. Adulteration was alleged for the further reason that the article had been colored in a manner whereby inferiority was concealed.

Misbranding was alleged in substance for the reason that the labels upon each of the barrels bore certain statements and words regarding the article, to wit, "Pure Cider Vinegar Made From Apples Reduced To 4%," which statements and words were false and misleading, and were intended to be of such a character as to induce the purchaser to believe that the product was pure cider vinegar, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that the article was an imitation of, and offered for sale under the distinctive name of, another article, to wit, pure cider vinegar.

On February 6, 1920, F. E. Jewett & Co., Lowell, Mass., claimant, having consented to the filing of a decree, judgment of condemnation and forfeiture was entered,

and it was ordered by the court that the product be redelivered to said claimant upon payment of all the costs of the proceedings, and the execution of bond in the sum of \$440, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**9050. Misbranding of Vitalitas. U. S. \* \* \* v. 1 Case, 36 Cases, and 60 Cases of Vitalitas. Product ordered released on bond.** (F. & D. Nos. 11260, 11261, 11262, 11263, 11264. I. S. Nos. 13131-r, 13132-r, 13133-r. S. Nos. E-1712, E-1717, E-1718.)

On September 20, 1919, 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 libels of information praying the seizure and condemnation of 1 case, 36 cases, and 60 cases of Vitalitas, at Boston, Mass., consigned between the dates July 14, 1919, and August 21, 1919, by the Vital Remedies Co., Houston, Tex., alleging that the article had been transported from the State of Texas into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of sulphates of iron and aluminium, with traces of other mineral salts.

It was alleged in substance in the libels of information that the article was misbranded in that the following statements regarding its curative and therapeutic effects, appearing upon the bottle label, "Its functions are to enrich the blood, strengthen the tone of the system, and thus aid in the restoration of healthy functions. A Family Remedy useful in the treatment of Rheumatism, Chronic Indigestion, Impoverished Blood, Atonic Dyspepsia, Chronic Diarrhoea, Dropsy, Malarial Anæmia, General Debility following recovery from acute diseases, Leucorrhœa, and Excessive Menstruation," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 15 and October 4, 1920, respectively, the Vital Remedies Co., Inc., claimant, having filed satisfactory bonds, in conformity with section 10 of the act, it was ordered by the court that the product be delivered to said claimant upon the payment of the costs of the proceedings, and that the libel of information be dismissed in accordance with the agreement of the parties filed March 25 and October 4, 1920, respectively.

E. D. BALL, *Acting Secretary of Agriculture.*



## INDEX TO NOTICES OF JUDGMENT 9001 TO 9050.

\* *Cases containing decisions of the courts or instructions to juries.*

	N. J. No.		N. J. No.
Allan's Star Brand Pills:		Frozen eggs. <i>See</i> Eggs.	
Allan-Pfeiffer Chemical Co.....	9028	Gardlolek:	
Almanaris Water:		Chmiell, Dr. John, Co.....	9042
Almanaris Mineral Spring Co.....	9009	Gelatin:	
Antifebrom:		Wood, W. B., Mfg. Co.....	9012
Chmiell, Dr. John, Co.....	9042	Gillen's Cholera Remedy:	
Aspironal:		Gillen Remedy Co.....	9003, 9021
Aspironal Laboratories.....	9020	Hall's Texas Wonder. <i>See</i> Texas Wonder.	
Avicol:		Hog cholera remedy:	
Burrell-Dugger Co.....	9035	Bourbon Remedy Co.....	9022
Benetol:		Gillen Remedy Co.....	9003, 9021
Benetol Co.....	9034	Igual, Sin:	
B-I-F Combination:		Gandara, Juan.....	*9008
Smaw, W. H., Drug Co.....	9011	Jams, assorted:	
Big G:		Braden Preserving Co. (Inc.).....	9018
Evans Chemical Co.....	9031, 9047	Krople Bobrowe:	
Black Caps:		Chmiell, Dr. John, Co.....	9042
Clapp, Samuel B.....	9013	Krople Laurowe:	
Bourbon Hog Cholera Remedy:		Chmiell, Dr. Jehn, Co.....	9042
Bourbon Remedy Co.....	9022	Krople Macieczne:	
BRSCO:		Chmiell, Dr. John, Co.....	9042
Brseo Medicine Co.....	9032	Krople Nazemcowe:	
Butter:		Chmiell, Dr. John, Co.....	9042
Ertz, H. A., Co.....	9014	La Nobleza:	
Capsules, Black Caps:		Gandara, Juan.....	*9008
Clapp, Samuel B.....	9013	Lekarstwo Na Szkerbut:	
Cholera, hog, remedy:		Chmiell, Dr. John, Co.....	9042
Bourbon Remedy Co.....	9022	Lekarstwo przeciw Pijanstwu:	
Gillen Remedy Co.....	9003, 9021	Chmiell, Dr. John, Co.....	9042
Corn, canned:		Lozon Pills:	
Linton, A. A.....	9048	Lafayette Co.....	9026
Cotton root, tansy, and pennyroyal pills.		Maple sap sirup. <i>See</i> Sirup.	
<i>See</i> Pills.		Marmalade, orange:	
Cottonseed meal. <i>See</i> Feed.		Braden Preserving Co. (Inc.).....	9013
Dates:		Medicamentum, Genuine:	
Parsell, C. C., Co.....	9019	Tilly, Claes.....	9007
E. & I. Treatment:		Milks Emulsion:	
Wampole, Henry S., Co.....	9033	Milks Emulsion Co.....	9015
Eggs:		Molasses vinegar. <i>See</i> Vinegar.	
Farmers Store.....	9006	Nobleza, La:	
Iona Mercantile Co.....	9045	Gandara, Juan.....	*9008
Schauer, Andrew Albert.....	9001	Olives:	
Frozen:		Streva, Sam.....	9024
Teichner & Schneider.....	9029	Orange marmalade. <i>See</i> Marmalade.	
Emmenagogue pills. <i>See</i> Pills.		Pennyroyal, tansy, and cotton root pills. <i>See</i> Pills.	
Feed, cottonseed meal:		Perry's Swine-Lixir:	
Spring City Milling Co.....	9002	Swine Elixir Mfg. Co.....	9010
Union Seed & Fertilizer Co.....	9044	Pills, Allan's:	
United Oil Mills.....	9043	Allan-Pfeiffer Chemical Co.....	9023
medicated stock:		emmenagogue:	
Stillwagon Food Co.....	9046	Palestine Drug Co.....	9025
Fish, salmon:		Lozon:	
Tallant-Grant Packing Co.....	9005	Lafayette Co.....	9026
tuna:		tansy, pennyroyal, and cotton root:	
Curtis Corporation.....	9017	Allan-Pfeiffer Chemical Co.....	9027
White Star Canning Co.....	9023		

	N. J. No.		N. J. No.
Pine, yellow, compound:		Texas Wonder:	
Yellow Pine Extract Co.....	9039	Hall, E. W.....	9016, 9037, 9038, 9049
Prescription 1000:		Mallinckrodt Chemical Co.....	9016
Reese Chemical Co.....	9030	Thomas Emmenagoguè Pills:	
Regilaterro No. 1:		Palestine Drug Co.....	9025
Chmiell, Dr. John, Co.....	9042	Tilly, Claes, Medicamentum:	
Salmon. <i>See</i> Fish.		Tilly, Claes.....	9007
Sin Igual:		Tomatoes, canned:	
Gandara, Juan.....	*9008	Webster, Charles.....	9004
Sirup, maple sap:		Tuna fish. <i>See</i> Fish.	
New England Maple Syrup Co.....	9041	Vinegar:	
Stillwagon's medicated stock food:		Jewett, F. E., & Co.....	9049
Stillwagon Food Co.....	9046	molasses:	
Stock food. <i>See</i> Feed.		Carbon Products Co.....	9035
Swine-Lixir, Perry's:		Vitalitas:	
Swine Elixir Mfg. Co.....	9010	Vital Remedies Co.....	9050
Tansy, pennyroyal, and cotton root pills. <i>See</i> Pills.		Water, Almanaris:	
		Almanaris Mineral Spring Co.....	9009
		Yellow pine compound:	
		Yellow Pine Extract Co.....	9039





# United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

## SERVICE AND REGULATORY ANNOUNCEMENTS.

### SUPPLEMENT.

N. J. 9051-9100.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., May 17, 1921.]

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**9051. Misbranding of G. S. U. S. \* \* \* v. 1½ Dozen Bottles of \* \* \*  
G. S. Default decree of destruction.** (F. & D. No. 11402. I. S. No.  
16511-r. S. No. E-1765.)

On October 10, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1½ dozen bottles of an article labeled in part "G. S.," at Jacksonville, Fla., consigned by L. M. Gross, Little Rock, Ark., alleging that the article had been shipped on or about March 20, 1919, and transported from the State of Arkansas into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "G. S. \* \* \* For Pellagra, Rheumatism, \* \* \* Syphilis \* \* \* directions \* \* \* Prepared only by L. M. Gross Little Rock, Ark. Price \$1.00."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a solution containing unidentified plant extractives, resins, and small amounts of potassium iodid and alcohol.

It was alleged in substance in the libel that the article was misbranded for the reason that the labels on the cartons and bottles and the circulars accompanying the article contained the following statements, regarding the curative and therapeutic effect of said article, (bottle) "\* \* \* For Pellagra, Rheumatism, Lumbago, Sciatica, Neuralgia, Syphilis, Scrofula, Eczema, Indigestion, Dyspepsia, Bilioussness, Constipation, Malaria, Chills and Fever, Nervousness, Stomach, Liver, Kidney and Bladder Disease. \* \* \*," (carton) "\* \* \* To relieve or benefit any case of Pellagra, Rheumatism, Lumbago,

Sciatica, Neuralgia, Syphilis, Scrofula, Eczema, Indigestion, Dyspepsia, Bilioussness, Constipation, Malaria, Chills and Fever, Nervousness, Stomach, Liver, Kidney and Bladder Diseases. \* \* \* For Pellagra, Rheumatism, Syphilis And All Diseases Arising From Impure Blood Or Diseases Of The Liver Or Kidneys. \* \* \*," (circular) "G. S. A Useful Medicine with Merit for Pellagra, Rheumatism, Blood, Liver and Kidneys \* \* \* G. S. is the best remedy known for Pellagra, Rheumatism, Lumbago, Sciatica, Neuralgia, Impure Blood, Scrofula, Eczema, Indigestion, Dyspepsia, Bilioussness, Constipation, Malaria, Chills and Fever, Stomach, Liver, Kidney and Bladder Diseases and Nervousness. This wonderful remedy is a great and powerful blood remedy; it removes the Uric Acid and Impurities from the blood, and at the same time acting on the liver and kidneys and carrying the poisonous secretions out of the system through the natural channels. \* \* \* blood trouble \* \* \* malarial rheumatism. \* \* \* contracted blood poison \* \* \* purifies the blood \* \* \* all Blood, Liver and Kidney diseases. \* \* \* Rheumatism in any form." which said statements were false, fraudulent, and misleading in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in said statements above set forth.

On February 2, 1921, no claimant having appeared for the property, judgment was entered finding the product subject to condemnation, and it was ordered by the court that the said product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9052. Misbranding of Texas Wonder. U. S. \* \* \* v. 51 Bottles and 62 Bottles of Texas Wonder. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 11638, 11545. I. S. Nos. 9205-r, 9202-r. S. Nos. C-1603, C-1615.)**

On or about December 1 and 12, 1919, respectively, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels, and on or about January 24, 1920, amended libels, for the seizure and condemnation of 51 bottles and 62 bottles of Texas Wonder, at Waco, Tex., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., on or about October 20 and 18, 1919, respectively, and transported from the State of Missouri into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

Misbranding of the article was alleged in substance in the libels, as amended, for the reason that upon the cartons containing the article and in the accompanying circulars the following statements and claims appeared, (carton) "A Remedy For Kidney and Bladder Troubles Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children," (circular) "The Texas Wonder! For Kidney and Bladder Troubles, Rheumatism and kindred diseases \* \* \*," (testimonial of Louis A. Portner) " \* \* \* began using The Texas Wonder for stone in the kidneys, inflammation of the bladder and tuberculosis of the kidneys \* \* \* His urine contained 40% pus. \* \* \* was still using the medicine with wonderful results, and his weight had increased \* \* \*," which statements and claims were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On February 24, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9053. Misbranding of olive oil. U. S. \* \* \* v. Gabriel Carbateas and Nicholas S. Monahos (N. S. Monahos). Pleas of guilty. Fine, \$25 and costs. (F. & D. No. 11979. I. S. No. 8826-r.)**

On June 21, 1920, 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 an information against Gabriel Carbateas and Nicholas S. Monahos, copartners, trading as N. S. Monahos, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about April 10, 1919, from the State of New York into the State of Illinois, of a quantity of olive oil which was misbranded. The article was labeled in part, "Lemnos Brand Olio di Oliva Puro Net Contents  $\frac{1}{4}$  Gallon."

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it contained 6.2 per cent less than the declared amount.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Contents  $\frac{1}{4}$  Gallon," borne on the cans containing the article, regarding the article, was false and misleading in that it represented that each of the cans contained  $\frac{1}{4}$  gallon net thereof, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the cans contained  $\frac{1}{4}$  gallon net thereof, whereas, in truth and in fact, each of said cans did not contain  $\frac{1}{4}$  gallon net of the article, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 23, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**9054. Misbranding of The Texas Wonder. U. S. \* \* \* v. 4 Dozen Bottles of \* \* \* The Texas Wonder. Default decree of destruction. (F. & D. No. 12064. I. S. No. 592-r. S. No. E-1914.)**

On January 5, 1920, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 dozen bottles, more or less, of an article labeled in part "The Texas Wonder," at Jacksonville, Fla., consigned by E. W. Hall, St. Louis, Mo., alleging that the article had been shipped on or about December 1, 1919, and transported from the State of Missouri into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

It was alleged in substance in the libel that the article was misbranded for the reason that the cartons inclosing the article and the circulars accompanying it contained the following statements, regarding the curative and therapeutic effect of said article, (carton) " \* \* \* A Remedy For Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder

Trouble in Children \* \* \*." (circulars) "Read Carefully Special Direction \* \* \* The Texas Wonder, Hall's Great Discovery, \* \* \* in \* \* \* Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved \* \* \*," which said statements were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effect set forth in said statements.

On February 2, 1921, no claimant having appeared for the property, judgment was entered finding that the article was subject to condemnation, and it was ordered by the court that the same be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9055. Adulteration and misbranding of cottonseed meal. U. S. \* \* \* v. 500 Sacks of Cottonseed Meal. Decree of court releasing product from custody, the same having been sold for fertilizing purposes. (F. & D. No. 12457. I. S. No. 111-r. S. No. E-2161.)**

On May 21, 1920, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 500 sacks, more or less, of cottonseed meal, at Jacksonville, Fla., consigned by the Central Oil Co., Macon, Ga., alleging that the article had been shipped on or about April 14, 1920, and transported from the State of Georgia into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Tags attached to sacks) "100 Lbs. Good Cotton Seed Meal Manufactured by Central Oil Company Cotton Seed Products Macon, Ga."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 6.36 per cent of ammonia, 33.0 per cent of protein, 5.15 per cent of fat, and 15.07 per cent of crude fiber.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in protein and fat and containing excessive crude fiber had been mixed and packed with, and substituted wholly or in part for, the article.

Misbranding was alleged for the reason that the following statements appearing in the label, to wit, "Ammonia (minimum) 7.00% Protein (minimum) 36.00% Crude Fat (minimum) 5.50% Crude Fibre (maximum) 14.00%," were false and misleading and deceived and misled the purchasers since the product contained less ammonia, protein, and fat, and more crude fiber than was declared on said labeling.

On October 18, 1920, the cause having come on to be heard, upon motion of the United States attorney for the release of the product belonging to said Central Oil Co., of Macon, Ga., and it appearing to the court that, in accordance with the directions of a representative of this department and subject to the entry of a decree, the said company has sold the product for fertilizing purposes only, it was ordered by the court that said sale be approved, that the proceedings be dismissed, and that the cottonseed meal be released for the purposes of such sale, and that said company pay the costs of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

**9056. Misbranding of Texas Wonder. U. S. \* \* \* v. 237 Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12592. I. S. No. 9689-r. S. No. C-1906.)**

On April 30, 1920, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 237 bottles of Texas Wonder, at San Antonio, Tex., alleging that

the article had been shipped by E. W. Hall, St. Louis, Mo., in part on or about February 10, 1920, the remainder on or about March 15, 1920, and transported from the State of Missouri into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

Misbranding of the articles was alleged in substance in the libel for the reason that the following statements appearing on the carton and in the circular accompanying the article, regarding the curative effect thereof, (carton) " \* \* \* A Remedy For Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children. \* \* \*," (circular, headed "Read Carefully") " \* \* \* In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 30, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9057. Misbranding of DeLaey's Cin-Ko-Na and Iron. U. S. \* \* \* v. 10**  
**Bottles of DeLaey's Cin-Ko-Na and Iron. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12593. I. S. No. 9688-r. S. No. C-1908.)**

On April 30, 1920, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 bottles of DeLaey's Cin-Ko-Na and Iron, at San Antonio, Tex., alleging that the article had been shipped by the Mallinkrodt Chemical Co., St. Louis, Mo., on or about August 15, 1919, and transported from the State of Missouri into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a solution containing quinine, strychnine, a laxative plant drug, an iron salt, sugar, glycerin, alcohol, and water.

It was alleged in substance in the libel that the article was misbranded for the reason that it was labeled, (carton) "A Valuable Remedy For All Blood Diseases, Rheumatism, Catarrh and all Nervous Diseases. \* \* \* Builds up the entire Nervous System Allays Kidney and Bladder Troubles of all kinds, \* \* \* All Blood Diseases, Rheumatism, Pimples, Ulcers, Skin Diseases, etc. All Nervous Diseases, Neuralgia, Nervous Debility, Paralysis, Headache, etc. \* \* \* Catarrh In All Its Forms Kidney Troubles, Liver Complaints, Biliousness, Dyspepsia, Indigestion, Malaria and Female Complaints. \* \* \* Strengthens the Nerves, Restores the Torpid Liver, Invigorates the Kidneys, \* \* \* and is a perfect Remedy in all Chronic Diseases peculiar to Women. \* \* \* A most valuable remedy for \* \* \* Catarrh Coughs, Colds, Grip, Bronchitis and Catarrh of the Stomach. Blood Diseases, Rheumatism, Pimples, Ulcers, Skin Troubles, Scrofula, and All Diseases arising from Impure Blood. Nervous Troubles \* \* \* Blues, Worry, Despondency, Tobacco and Alcoholic Excess, and Nervous Prostration. Malaria Chills and Fever. \* \* \* completely kills all Malaria Germs, Indigestion Dyspepsia, Biliousness, Constipation, Inactive Liver, \* \* \* and a Reliable Remedy for all Stomach and Bowel Troubles. It Is Of Great Benefit And Most Useful For Consumption and

all Wasting Diseases, Kidney and Bladder Troubles, and Brights Disease. It Is An Excellent Remedy For Correcting all Female Complaints, Irregularities, Weakness, Painful Menstruation, Whites, and General Debility," which said statements and claims regarding the curative and therapeutic effects of the article were false and fraudulent since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 30, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9058. Misbranding of Howe's Compound Damiana Tablets. U. S. \* \* \* v. 16 Packages \* \* \* of Howe's Compound Damiana Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13413. I. S. No. 8765-t. S. No. E-2549.)**

On August 20, 1920, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of said District, holding a district court, a libel for the seizure and condemnation of 16 packages of Howe's Compound Damiana Tablets, at Washington, D. C., alleging that the article had been shipped on or about December 7, 1919, by the Howe Medicine Co., Philadelphia, Pa., and transported from the State of Pennsylvania into the District of Columbia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Howe's Compound Damiana Tablets."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of phosphorus and extractives of damiana and nux vomica.

It was alleged in substance in the libel that the article was misbranded for the reason that the wrapper inclosing the article bore the following statements, among others, "For Lost Vitality and Wasting Weakness \* \* \* continued use of this remedy will produce the most satisfactory results. A True Tonic For the Entire System," which said statements were false and fraudulent in that they were statements of the curative and therapeutic effect of the article and of the ingredients and substances contained therein, and were false and fraudulent for the reason that said drug contained no ingredients or combination of ingredients in sufficient quantity and strength capable of producing the therapeutic effect claimed for it in said statements.

On October 18, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9059. Misbranding of Dr. Martel's Female Pills. U. S. \* \* \* v. 34 Packages of Dr. Martel's Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 13528, 13561, 13562. I. S. Nos. 5135-t, 5125-t, 5127-t. S. Nos. E-2684, E-2634, E-2635.)**

On August 26, 1920, 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 of information praying the seizure and condemnation of 34 packages of Dr. Martel's Female Pills, the larger portion having been consigned by the French Drug Co., New York, N. Y., remaining in the original unbroken packages at Boston and Springfield, Mass., alleging that the article had been shipped and transported from the States

of Wisconsin and New York into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of ferrous sulphate and carbonate, and oil of savin.

It was alleged in substance in the libel of information that the article was misbranded for the reason that the following statements, regarding the curative and therapeutic effects thereof, (box) "\* \* \* Female Pills \* \* \* For (Suppression Of The Menses) Dysmenorrhoea (Painful Menstruation) And Similar Functional Derangements," (circular) "\* \* \* Female Pills \* \* \* For Disturbances of the Menstrual Functions. \* \* \* For Amenorrhoea (Suppression of the Menses \* \* \*) \* \* \* treatment \* \* \* should be continued until relief is obtained. For Dysmenorrhoea (Painful or Scanty Menstruation) \* \* \* our medicine will be found to give lasting benefit and genuine relief. To prevent difficult, painful, over-profuse and other morbid menstrual conditions, and keep this important function normal, take \* \* \* for a few days before the expected reappearance of the menstrual flow," were false and fraudulent in that said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 12, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9060. Misbranding of Knoxit. U. S. \* \* \* v. 10 Dozen Bottles of \* \* \* Knoxit Liquid The Great Prophylactic and Gonorrhoea Remedy. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10076. I. S. No. 16341-r. S. No. E-1314.)

On April 21, 1919, 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 a libel for the seizure and condemnation of 10 dozen bottles of Knoxit Liquid The Great Prophylactic and Gonorrhoea Remedy, remaining unsold in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped on or about September 12, 1918, by the Beggs Mfg. Co., Chicago, Ill., and transported from the State of Illinois into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of zinc acetate, hydrastis alkaloids, glycerin, and water, perfumed with oil of rose.

It was alleged in substance in the libel that the article was misbranded for the reason that certain statements appearing on the cartons and in the accompanying circular, regarding the curative and therapeutic effects of said article, falsely and fraudulently represented it to be effective as a remedy for catarrhal affections of the eye, nose, and throat, inflammation of the mucous membranes, hemorrhoids, ulcers, and other mucous irritations, effective for inflammation of the mucous membranes, gonorrhoea and blenorrrhea of long standing, and as a prophylactic, when, in truth and in fact, it was not.

On January 8, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9061. Misbranding of Knoxit. U. S. \* \* \* v. 3 Dozen Bottles \* \* \* of a Product Purporting To Be Knoxit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10151. I. S. No. 7880-r. S. No. C-1188.)**

On May 2, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on June 26, 1919, an amended libel, for the seizure and condemnation of 3 dozen bottles of a product purporting to be Knoxit, remaining in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped on or about March 27, 1919, by the Beggs Mfg. Co., Chicago, Ill., and transported from the State of Illinois into the State of Indiana, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of zinc acetate, hydrastis alkaloids, glycerin, and water, perfumed with oil of rose.

It was alleged in substance in the libel that the article was misbranded for the reason that certain statements appearing on the cartons, bottle labels, and in the accompanying circulars, regarding the curative and therapeutic effects of said articles, falsely and fraudulently represented it to be effective as a remedy for gonorrhoea, catarrhal affections of the eye, nose, and throat, inflammation of the mucous membranes, beneficial in the treatment of hemorrhoids, ulcers, and other mucous irritations, as a prophylactic for inflammation of the mucous membranes, effective for gonorrhoea and blenorrrhea of long standing, and as a prophylactic, when, in truth and in fact, it was not.

On January 2, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9062. Misbranding of Santal Midy Capsules. U. S. \* \* \* v. 16 Dozen Bottles \* \* \* Santal Midy Capsules. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10252. I. S. No. 2583-r. S. No. W-329.)**

On May 7, 1919, 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 for the seizure and condemnation of 16 dozen bottles, labeled in part "Santal Midy capsules \* \* \* Bottled in the New York Laboratories of Dr. Ph. Chapelle," remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped on December 16, 1918, by E. Fougere & Co., New York, N. Y., and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of oil of sandalwood.

It was alleged in substance in the libel that the article was misbranded for the reason that the following statements appeared in the circular accompanying each bottle of the article: "Santal-Midy \* \* \* in the treatment of gonorrhoea, gleet and discharges from the urinary organs. \* \* \* affords relief, \* \* \* contributed to a great number of cures." \* \* \* gonorrhoea in the acute stage. \* \* \* Inflammation of the Bladder.—When the bladder walls are inflamed, and even when there is hemorrhage, it is still useful on account of its peculiar soothing action on mucous surfaces. In nearly every case of hematuria, \* \* \* Suppurative nephritis, \* \* \* Catarrh



of the Bladder. \* \* \* chronic catarrh of the bladder \* \* \* Vesical Catarrh of Old Age \* \* \* stricture of the urethra and congestion of the prostate, \* \* \* Acute Cystitis, when the urine is colored with blood, and inflammation of the neck of the bladder, \* \* \* assists elimination of the uric acid indicated by the red deposit in the urine resembling gravel.' \* \* \* when the urethral catarrh is accompanied by cystitis \* \* \*," whereas said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it, and the statements in the circular as aforesaid were false and fraudulent. Misbranding was alleged for the further reason that two certain circulars, copies of which were attached to the libel by the United States attorney, marked "Exhibit A" and "Exhibit B," and made a part of the libel, bore and contained statements, regarding the curative and therapeutic effects of the article and the ingredients and substances contained therein, which were false and fraudulent for the reason that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it therein.

On October 11, 1919, the said E. Fongera & Co., New York, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**9063. Misbranding of Big G. U. S. \* \* \* v. One Gross Bottles of \* \* \* Big G. Default decree of destruction.** (F. & D. No. 10415. I. S. No. 16218-r. S. No. E-1452.)

On May 30, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of one gross bottles of an article labeled in part "Big G," at Jacksonville, Fla., consigned by the Evans Chemical Co., Cincinnati, Ohio, alleging that the article had been shipped on or about February 14, 1919, and transported from the State of Ohio into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of borax and berberine. Hydrastine was absent.

It was alleged in the libel that the strength and purity of the article fell below the professed standard and quality under which it was sold. Misbranding of the article was alleged in substance for the reason that the label on the carton containing it bore the following statement, "A compound of Borated Goldenseal," whereas it contained no borated goldenseal. It was alleged in substance that the article was misbranded for the further reason that the label upon said cartons and upon the bottles contained therein, and appearing in the booklets accompanying the article, contained the following statements regarding the curative and therapeutic effect of the said article, (carton) "Big G. A compound of Borated Goldenseal. A remedy for Catarrh, Hay Fever, and Inflammations, Irritations or Ulcerations of mucous membranes or Linings of the Nose, Throat, Stomach and Urinary Organs," (bottle) "Big G. A Non-poisonous Tonic, \* \* \* A Treatment For Unnatural Discharges of the urinary organs, Catarrh, Hay Fever and Inflamed, Ulcerated, Itching conditions of the skin and mucous membrane or linings of the Mouth, Nose, Throat, Eye and Ear," (booklet) "Catarrh \* \* \* Chronic, of the Head. \* \* \*

Hay Fever, \* \* \* Inflammation of the Eye. \* \* \* Cystitis \* \* \* Gastritis—Catarrh of the Stomach. \* \* \* Haemorrhoids—Piles. \* \* \* Throat Troubles. \* \* \* Gonorrhoea \* \* \* Gleet \* \* \* Chronic Gonorrhoea. \* \* \* Stricture \* \* \* Folliculitis. \* \* \* Gonorrhoeal Prostatitis. \* \* \* Spermatorrhoea \* \* \* Bubo, \* \* \* Gonorrhoeal Cystitis. \* \* \* As a preventative \* \* \* Leucorrhoea—Whites—Catarrh of the Vagina. \* \* \* Gonorrhoea in Women," and certain other venereal diseases, which said statements were false, fraudulent, and misleading in that said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effect claimed in said statements above set forth.

On February 5, 1921, no claimant having appeared for the property, judgment was entered finding that the product was subject to condemnation, and it was ordered by the court that the same be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9064. Adulteration of evaporated apples. U. S. \* \* \* v. 50 Boxes of Evaporated Apples. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 11933. I. S. No. 8879-r. S. No. C-1715.)**

On February 10, 1920, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 boxes of evaporated apples, remaining in the original unbroken packages at Faribault, Minn., alleging that the articles had been shipped by J. W. Teasdale & Company, St. Louis, Mo., on or about December 2, 1919, and transported from the State of Missouri into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed therewith, and substituted in part for the article.

On March 5, 1920, J. W. Teasdale & Company, St. Louis, Mo., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**9065. Misbranding of olive oil. U. S. \* \* \* v. Gabriel Carbateas and Nicholas S. Monahos (N. S. Monahos). Pleas of guilty. Fine, \$25 and costs. (F. & D. No. 11981. I. S. No. 11654-r.)**

On June 21, 1920, 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 an information against Gabriel Carbateas and Nicholas S. Monahos, copartners, trading as N. S. Monahos, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about April 4, 1919, from the State of New York into the State of Texas, of a quantity of olive oil which was misbranded. The article was labeled in part, "Lemmos Brand Olio di Oliva Puro Net Contents  $\frac{1}{4}$  Gallon."

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the product was short in volume, the average shortage, in the cans examined, being 1.5 fluid ounces.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Contents  $\frac{1}{4}$  Gallon," borne on the cans containing the article, regarding the article, was false and misleading in that it represented that each of the cans contained  $\frac{1}{4}$  gallon net thereof, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the cans contained  $\frac{1}{4}$  gallon net thereof, whereas, in truth and in fact, each of said cans did not contain  $\frac{1}{4}$  gallon net of the article, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 23, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**9066. Adulteration and misbranding of canned tomatoes. U. S. \* \* \* v. 620 Cases of Canned Tomatoes \* \* \*. Product released on bond. (F. & D. No. 12424. I. S. No. 184-r. S. No. E-2081.)**

On April 26, 1920, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 620 cases of canned tomatoes, consigned by the D. T. Roberts Co., Vienna, Md., October 2, 1919, remaining in the original unbroken packages at Charleston, S. C., alleging that the article had been shipped and transported from the State of Maryland into the State of South Carolina, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Blue Dot Brand Tomatoes \* \* \* Packed By Winfield Webster & Co. Main Office: Vienna, Md."

Adulteration of the article was alleged in the libel for the reason that added water and pulp had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for the article.

It was alleged in substance that the article was misbranded for the reason that the words and figures declared and printed upon the labels, cans, packages, and cases, that is to say, the word "Tomatoes," and the picture of a red ripe tomato thereon, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of, or offered for sale under the distinctive name of, another article.

On October 8, 1920, the case having come on for final disposition, upon motion of Winfield Webster & Co., the claimant for the goods, it was ordered by the court that upon the execution and delivery of a good and sufficient bond in the sum of \$2,000, by Thomas Roberts & Co., of Philadelphia, Pa., in conformity with section 10 of the act, conditioned in part that the product be relabeled "Tomatoes and Pulp with 15% added water," the product might be delivered to said Thomas Roberts & Co.

E. D. BALL, *Acting Secretary of Agriculture.*

**9067. Misbranding of Tonoline Tablets. U. S. \* \* \* v. 6 Dozen Packages of \* \* \* Tonoline Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13326. I. S. No. 10364-t. S. No. W-663.)**

On or about August 16, 1920, 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 for the

seizure and condemnation of 6 dozen packages of Tonoline Tablets, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped on or about October 1, 1918, by the American Drug Sales Co., Boston, Mass., and transported from the State of Massachusetts into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of nux vomica alkaloids and ferrous iron.

It was alleged in the libel that the article was misbranded for the reason that it was labeled in part on the box and circular and additional circular, as follows, (box) "Tonoline Tablets \* \* \* valuable in the treatment of the various Debilitating Diseases of men and in the most extreme cases of Nervous Prostration in women. \* \* \* For \* \* \* Nervousness, Run-down, Wornout, Emaciated, Lost Ambition, and to Correct Poor Assimilation," (circular) " \* \* \* the use of Tonoline should increase the red corpuscles of the blood, and promote what is known as cellular activity \* \* \* exerts upon the nervous system a regulating tonic action. \* \* \* to Make Thin \* \* \* Men and Women Plump \* \* \* the missing link between food and flesh. \* \* \* most marvelous body builder which medical science has, so far, produced. \* \* \* nothing \* \* \* has ever been discovered which can in any way approach it. \* \* \* Tonoline does supply this one missing link in the chain of normal human health and vitality—the power to properly assimilate \* \* \* the flesh forming and tissue building elements of food. \* \* \* for a thin person, the certainty of getting fat depends almost entirely upon Tonoline," (additional circular) " \* \* \* For \* \* \* Stomach Trouble \* \* \* Men and Women \* \* \* Premature Decline," whereas the said article contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed for it, and the statements on the box label, circular, and additional circular were false and fraudulent.

On August 24, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9668. Misbranding of Tonoline Tablets. U. S. \* \* \* v. 6 Dozen Packages \* \* \* of Tonoline Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13569. I. S. No. 7824-t. S. No. E-2639.)**

On August 25, 1920, 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 for the seizure and condemnation of 6 dozen packages of Tonoline Tablets, consigned by the American Proprietary Syndicate, Boston, Mass., remaining in the original unbroken packages at Lancaster, Pa., alleging that the article had been shipped on or about December 23, 1919, and transported from the State of Massachusetts into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of nux vomica alkaloids and ferrous iron.

It was alleged in substance in the libel that the article was misbranded for the reason that its label and the circular accompanying it contained the

following statements, regarding the curative and therapeutic effects thereof and the ingredients and substances contained therein, (box) "Tonoline Tablets \* \* \* valuable in the treatment of the various Debilitating Diseases of men and in the most extreme cases of Nervous Prostration in women. For \* \* \* Nervousness, Rundown, Wornout, Emaciated, Lost Ambition and to Correct Poor Assimilation," (circular) "\* \* \* the use of Tonoline should increase the red corpuscles of the blood, and promote what is known as cellular activity \* \* \* exerts upon the nervous system a regulating tonic action. \* \* \* to Make Thin \* \* \* Men and Women Plump \* \* \* the missing link between food and flesh. \* \* \* most marvelous body builder which medical science has, so far, produced. \* \* \* nothing \* \* \* has ever been discovered which can in any way approach it. \* \* \* Tonoline does supply this one missing link in the chain of normal human health and vitality—the power to properly assimilate \* \* \* the flesh forming and tissue building elements of food \* \* \* for a thin person, the certainty of getting fat depends almost entirely upon Tonoline," which were false and fraudulent in that the said article would not produce the curative or therapeutic effects which purchasers were led to expect by said statements, which were applied to said article with a knowledge of their falsity for the purpose of defrauding the purchasers thereof.

On September 14, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9069. Misbranding of Make-Man Tablets. U. S. \* \* \* v. 18 Packages of \* \* \* Make-Man Tablets. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13575. I. S. No. 10203-t. S. No. W-678.)

On or about September 3, 1920, 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 for the seizure and condemnation of 18 packages of a drug, labeled in part "Make-Man Tablets," consigned by the Block Drug Co., Brooklyn, N. Y., remaining in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about September 12, 1919, and transported from the State of New York into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of aloin, a laxative plant drug, ferrous carbonate, strychnine, arsenic, and a trace of phosphates.

It was alleged in substance in the libel that the article was misbranded for the reason that the label upon each package of said article and the circular accompanying it contained the following statements, regarding the curative and therapeutic effect of said tablets, (label) "Make-Man Tablets \* \* \* A Brain, Blood and Nerve Food. \* \* \* For The Treatment Of Dyspepsia, Neuralgia, Kidney and Liver Trouble, Catarrh, Consumption, Locomotor-Ataxia, Wasting Diseases, Nervous Debility, Female Disorders, And All Kindred Diseases Resulting From A Worn Out Nervous System. \* \* \* A Certain Cure \* \* \* To Build Up The System \* \* \* To Repair The Nervous System Giving Power Of Endurance And Capacity To Enjoy Every Pleasure. An Ideal Remedy For All Nervous Troubles. The Effect Is Immediate And No Doubt Of Results Exist. They Make Men and Women Strong," (circular) "Make-Man Tablets Make Blood \* \* \* indiscretions, 'over-

doing' loss of sleep, over exhaustion resulting from indiscriminate Sexual Intercourse. \* \* \* Any man that finds his \* \* \* vital force lacking \* \* \* can replenish this lost power by the \* \* \* use of Make-Man Tablets. \* \* \* ' \* \* \* More like a miracle than a medicine.' \* \* \* \* More like a food than a drug.' \* \* \* are sold under an absolute guarantee to restore lost vitality, repair the 'wear and tear.' \* \* \* Makes the Nerve Cells Strong \* \* \* A Sovereign \* \* \* and most reliable treatment for the man who has 'grown old' as a result of dissipation, \* \* \* Enables him to regain the most perfect integrity of health and power of endurance. \* \* \* Natural Food For The Nerves Rather than a temporary stimulant like most advertised so-called aphrodisiacs." which were false and fraudulent in that the tablets contained no ingredient or combination of ingredients capable of producing the effects claimed in any of said statements.

On October 8, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9070. Misbranding of Dr. Martel's Female Pills. U. S. \* \* \* v. 34 Packages of Dr. Martel's Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13303. I. S. No. 3855-t. S. No. C-2375.)**

On August 24, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 34 packages of Dr. Martel's Female Pills, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the McNullough Drug Co., Lawrenceburg, Ind., on or about May 3, 1920, and transported from the State of Indiana into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) " \* \* \* Female Pills \* \* \* For (Suppression Of The Menses) Dysmenorrhoea (Painful Menstruation) And Similar Functional Derangements;" (circular) " \* \* \* Female Pills \* \* \* For Suppression [Disturbances] of the Menstrual Functions. \* \* \* For Amenorrhoea (Suppression of the Menses \* \* \* ) \* \* \* treatment \* \* \* should be continued until relief is obtained. For Dysmenorrhoea (Painful or Scanty Menstruation) \* \* \* our medicine will be found to give lasting benefit and genuine relief. \* \* \* To prevent difficult, painful, over-profuse and other morbid menstrual conditions, and keep this important function normal, take \* \* \* for a few days before the expected reappearance of the menstrual flow."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of ferrous sulphate and carbonate, and oil of savin.

It was alleged in substance in the libel that the article was misbranded in violation of section 8 of the Food and Drugs Act, as amended, in that the above-quoted statements appearing on the labels, regarding its curative and therapeutic effects, were false and fraudulent.

On February 10, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9071. Misbranding of Robert J. Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal, and Apioi Tablets.** U. S. \* \* \* v. 43 Packages \* \* \* and 173 Packages \* \* \* of Robert J. Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal, and Apioi Tablets. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13308, 13309. I. S. Nos. 1217-t, 1750-t. S. Nos. C-2300, C-2301.)

On or about August 25 and 28, 1920, respectively, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 43 packages and 173 packages, more or less, of Robert J. Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal, and Apioi Tablets, at Toledo and Cleveland, Ohio, respectively, alleging that the article had been shipped by the Robert J. Pierce Co., New York, N. Y., on or about June 6 and July 9, 1920, respectively, and transported from the State of New York into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) "\* \* \* Tansy, Cotton Root, Pennyroyal and Apioi Tablets A Safe Emmenagogue. Always Reliable And Effective. The Best Known Remedy For The Suppression Of The Menstrual Function;" (circular) "\* \* \* The Celebrated Female Regulator \* \* \* Delayed Menstruations When the suppression is of long standing, \* \* \* take one \* \* \* until four days before the time when the menses should appear \* \* \* immediately preceding the expected appearance of the menstrual flow, active treatment should begin. Take one [tablet] three times daily, \* \* \* follow \* \* \* instructions \* \* \* until the desired result is obtained. \* \* \* Irregularities. Where the menses are not regular, \* \* \* are invaluable. Take \* \* \* before the expected appearance of the menstrual flow [period]."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of aloes, ferrous sulphate, pennyroyal, and unidentified plant extractives.

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

On September 20, 1920, and January 3, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9072. Misbranding of Madame Dean Female Pills.** U. S. \* \* \* v. 12 Packages of Madame Dean Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13402. I. S. No. 3842-t. S. No. C-2207.)

On August 18, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 packages of Madame Dean Female Pills, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on or about May 24, 1920, and transported from the State of Pennsylvania into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box and wrapper) "Female Pills \* \* \* give relief in Female Disorders of the menstrual functions. \* \* \* for Pain-

ful, Irregular, and Scanty Menstruation;" (booklet) " \* \* \* irregular, prolonged, or suppressed menstruation. \* \* \* Female Pills afford relief for these ailments. \* \* \* a remedy intended solely for the relief of Amenorrhœa, Dysmenorrhœa, scanty and irregular menstruation, and other derangements of the reproductive system, \* \* \* especially valuable in the functional changes \* \* \* of the menopause or change of life. \* \* \* Act on the circulatory system of the uterus, thereby relieving painful, irregular, and scanty menstruation, and assist in re-establishing or restoring the menstrual or monthly periods. \* \* \* strengthen and build up the uterine function;" (circular) " \* \* \* a great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel \* \* \* for irregular, painful, scanty or suppressed menstruations, \* \* \* should be taken \* \* \* to assist nature with \* \* \* disorders \* \* \* during the change of life period. \* \* \* Continue with the treatment until they give relief. \* \* \* great relief from Pains or Headache; \* \* \* for suppressed menstruation. \* \* \* continue their use until relieved \* \* \* take \* \* \* until the menstrual flow commences again. \* \* \* Special Strength \* \* \* should relieve the most obstinate cases."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of quinine, aloes, ferrous sulphate, hydrastis, ginger, and con starch.

It was alleged in substance in the libel that the article was misbranded in violation of section 8 of the Food and Drugs Act, as amended, in that the above-quoted statements appearing on the labels, regarding its curative and therapeutic effects, were false and fraudulent.

On February 9, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9073. Adulteration and misbranding of Champagne and Sparkling Burgundy. U. S. \* \* \* v. 23½ Cases \* \* \* of \* \* \* Champagne and 22½ Cases \* \* \* of \* \* \* Sparkling Burgundy. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13780, 13781, 13782, 13783. I. S. Nos. 8243-t, 8244-t, 7828-t, 7829-t, 7830-t, 7831-t. S. Nos. E-2792, E-2793, E-2796, E-2798.)**

On October 13 and 14, 1920, respectively, 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 libels for the seizure and condemnation of 23½ cases of Champagne and 22½ cases of Sparkling Burgundy, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the articles had been shipped in part by H. G. Mumm & Co., New York, N. Y., on or about May 24, 1920, and transported from the State of New York into the State of Virginia, and returned by the consignee to New York, N. Y., and that the remainder had been shipped from Philadelphia, Pa., on or about September 8, 1920, and transported from the State of Pennsylvania into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part: "H. G. Mumm & Co's Unfermented Extra Dry Champagne Non-Alcoholic \* \* \* H. G. Mumm & Co. Distributors New York Bordeaux, France Chicago;" and "H. G. Mumm & Co. Sparkling Burgundy Non-Alcoholic P. J. De Centaur Bordeaux, France H. G. Mumm & Co. New York and Chicago."



Adulteration of the articles was alleged in the libels for the reason that imitation products artificially carbonated had been mixed and packed therewith so as to reduce, lower, and injuriously affect their quality and strength, and had been substituted wholly and in part for the articles. The product labeled "Sparkling Burgundy" was further adulterated in that it was colored in a manner whereby damage and inferiority were concealed.

Misbranding was alleged in substance for the reason that the packages containing the articles and the labels thereon bore statements, designs, and devices regarding the articles and the ingredients and substances contained therein, to wit, "H. G. Mumm & Co's \* \* \* Extra Dry Champagne Non-Alcoholic \* \* \* H. G. Mumm & Co. Distributors New York Bordeaux, France Chicago," or "H. G. Mumm & Co. Sparkling Burgundy Non-Alcoholic P. J. De Centaur Bordeaux, France H. G. Mumm & Co. New York and Chicago," which were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the articles were imitations of, and were offered for sale under the distinctive name of, other articles, and for the further reason that the products were food in package form, and the quantity of the contents of each package was not plainly and conspicuously marked on the outside of the package.

On February 9, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9074. Adulteration and misbranding of nonalcoholic beverages. U. S. \* \* \* v. 1 \* \* \* Keg Each of Cherry and Champagne Flavor Nonalcoholic Beverages \* \* \*. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13831. I. S. Nos. 8785-t, 8786-t. S. No. E-2853.)**

On November 1, 1920, 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 a libel for the seizure and condemnation of 1 keg each of nonalcoholic beverages, labeled in part "Non-Alcoholic Cherry" (or "Champagne"), consigned on or about October 19, 1920, remaining in the original unbroken packages at Port Deposit, Md., alleging that the article had been shipped by the Red Cross Mfg. Co., St. Louis, Mo., and transported from the State of Missouri into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, as the case might be, "Non-Alcoholic \* \* \* Cherry" (or "Champagne") \* \* \* Sweetened with Saccharine \* \* \* Red Cross Mfg. Co. St. Louis, Mo."

Adulteration of the article was alleged in the libel for the reason that a substance which has no food value and is deleterious to health, to wit, saccharin, had been mixed and packed therewith, and substituted wholly or in part for the article, and for the further reason that it contained an added poisonous or deleterious ingredient, to wit, saccharin, which might have rendered the article injurious to health.

Misbranding of the article was alleged for the reason that the packages or label bore a statement, design, or device, regarding the article or the ingredients or substances contained therein, to wit, "Non-Alcoholic Cherry" (or "Champagne"), which was false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On December 18, 1920, 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,

E. D. BALL, *Acting Secretary of Agriculture.*

**9075. Adulteration of nonalcoholic beverages. U. S. \* \* \* v. 4 Kegs \* \* \* of Nonalcoholic Beverages \* \* \*. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13866. I. S. Nos. 8436-t, 8437-t, 8438-t, 8439-t. S. No. E-2873.)

On November 15, 1920, 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 a libel for the seizure and condemnation of 4 kegs of nonalcoholic beverages, labeled in part "Non-Alcoholic Artificial Flavor and Color Port Hot Punch" ("Cherry Cordial," "Blackberry Cordial," and "Roman Punch," respectively), consigned on or about September 20, 1920, remaining in the original packages at Colgate, Highlandtown, Md., alleging that the article had been shipped by the Red Cross Mfg. Co., St. Louis, Mo., and transported from the State of Missouri into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Non-Alcoholic Artificial Flavor And Color \* \* \* Guaranteed by Red Cross Mfg. Co. St. Louis, Mo."

Adulteration of the article was alleged in the libel for the reason that a substance which has no food value, to wit, saccharin, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and for the further reason that it contained an added poisonous or deleterious ingredient, to wit, saccharin, which might render the article injurious to health.

On December 21, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9076. Adulteration and misbranding of prunes. U. S. \* \* \* v. Max Gronik (Badger State Creamery Co.). Plea of guilty. Fine, \$50.** (F. & D. No. 13901. I. S. No. 8310-r.)

On December 17, 1920, 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 an information against Max Gronik, trading as the Badger State Creamery Co., Milwaukee, Wis., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about November 8, 1919, from the State of Wisconsin into the State of Illinois, of a quantity of prunes which were adulterated and misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed the presence of dead worms, worm excreta, and, in certain cases, webs, and showed that the entire product was badly contaminated with dead sugar mites.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy and decomposed animal or vegetable substance.

Misbranding was alleged for the reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On January 6, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

**9077. Adulteration of oysters. U. S. \* \* \* v. Marlborough Market, a Corporation. Collateral of \$25 forfeited.** (F. & D. No. 13939. I. S. No. 16630-r.)

On February 4, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against the Marlborough Market, a corporation, Washington, D. C., alleging that on February 27, 1920, the said company did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of oysters which were adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for oysters, which the article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, oyster solids, had been wholly or in part abstracted.

On February 4, 1921, the defendant company having failed to enter an appearance, the \$25 collateral that had been deposited by said company to insure its appearance was declared forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**9078. Adulteration of oysters. U. S. \* \* \* v. Old Dutch Market, Inc., a Corporation. Plea of guilty. Fine, \$100.** (F. & D. No. 13940. I. S. Nos. 16623-r, 16627-r, 16657-r, 17420-r.)

On February 4, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against the Old Dutch Market, Inc., a corporation, having a place of business at Washington, D. C., alleging that on February 4, 6, 26, and 27, 1920, respectively, the said company did offer for sale and sell at the District of Columbia, in violation of the Food and Drugs Act, quantities of oysters which were adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for oysters, which the article purported to be, and for the further reason that a valuable constituent of the article, to wit, oyster solids, had been wholly or in part abstracted.

On February 4, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

**9079. Adulteration of candy. U. S. \* \* \* v. 850 Pounds \* \* \* of Candy. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 14119. I. S. No. 8694-t. S. No. E-3036.)

On December 23, 1920, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 850 pounds, more or less, of candy, at Washington, D. C., alleging that the article had been offered for sale and sold in the District of Columbia by the Washington Salvage Co., Washington, D. C., and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a filthy, decomposed, and putrid vegetable substance.

On February 16, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9080. Misbranding of Santal Midy Capsules. U. S. \* \* \* v. 266 Bottles of \* \* \* Santal Midy Capsules. Consent decree adjudging product misbranded and ordering its release on bond. (F. & D. No. 10453. I. S. No. 2907-r. S. No. W-286.)**

On June 4, 1919, 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 for the seizure and condemnation of 266 bottles of Santal Midy Capsules, remaining in the original unbroken packages at Sacramento, Calif., alleging that the article had been shipped on or about September 24, 1918, by E. Fougere & Co., New York, N. Y., and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted of sandalwood oil.

It was alleged in substance in the libel that the article was misbranded for the reason that the circular accompanying it contained the following statements, "Santal-Midy \* \* \* Essential oil of Sandalwood, \* \* \* in the treatment of gonorrhoea, gleet and discharges from the urinary organs. \* \* \* ' \* \* \* it affords relief \* \* \* contributed to a great number of cures.' \* \* \* In gonorrhoea in the acute stage. \* \* \* urine may be passed without pain, \* \* \* the discharge reduced \* \* \* Inflammation of the Bladder.—When the bladder walls are inflamed, and even when there is hemorrhage, \* \* \* its peculiar soothing action on mucous surfaces. In nearly every case of hematuria, the frequency of micturition and the pain arising therefrom cease \* \* \* Suppurative Nephritis. \* \* \* improve the symptoms \* \* \* Catarrh of the Bladder. \* \* \* Vesical Catarrh of Old Age. \* \* \* stricture of the urethra and congestion of the prostate, \* \* \* the urine soon becomes clear and limpid. In Acute Cystitis, when the urine is colored with blood, and inflammation of the neck of the bladder, it gives relief \* \* \* assists elimination of uric acid indicated by the red deposit in the urine resembling gravel,' \* \* \* when the urethral catarrh is accompanied by cystitis \* \* \*," whereas the said article contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed, and the statements in the circular aforesaid were false and fraudulent. Misbranding was alleged for the further reason that a certain circular accompanying the article, a copy of which was attached to the libel by the United States attorney, marked "Exhibit A," and made a part of the libel, which said circular contained statements, regarding the curative and therapeutic effects of said article and the ingredients and substances contained therein, [which were false and fraudulent] for the reason that said article contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed for it therein.

On October 11, 1919, the said E. Fougere & Co., New York, N. Y., claimant, having consented to a decree, judgment was entered in which it was found that the product was misbranded, and it was ordered by the court that the product

be redelivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$300, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**9081. Misbranding of "G Zit" Complete-Stearns' and G Zit Antiseptics. U. S. \* \* \* v. 8 Packages of \* \* \* "G Zit" Complete-Stearns' and 24 Packages of \* \* \* G Zit Antiseptics. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10866. I. S. No. 2932-r. S. No. W-441.)**

On July 16, 1919, 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 for the seizure and condemnation of 8 packages of the \$3-size of "G Zit" Complete-Stearns' and 24 packages of G Zit Antiseptics, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped on April 30, 1918, and July 5, 1918, respectively, by the Stearns Hollinshead Co., Inc., Portland, Oreg., and transported from the State of Oregon into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the G Zit Complete consisted of two preparations, antiseptics for internal use and bougies for local application. The antiseptics consisted of gelatin capsules containing balsam of copaiba, oleoresin of cubeb, and a small amount of sulphur in oil. The bougies consisted essentially of silver nucleinate in a cacao butter base.

It was alleged in substance in the libel that the articles were misbranded for the reason that they were labeled in part on the cartons, in circulars, and in booklets, as follows, (carton containing Zit Antiseptics) "Zit Antiseptics (urinary)—Stearns' \* \* \* Remember: This Antiseptic acts on all germ life that may be lodged in the bladder, \* \* \*," (carton containing G Zit Bougies) "G Zit Bougies—Stearns' \* \* \* Less chance for complicated, lasting disease if this Treatment is used," (circular) "Instructions For Gonorrheal Patients To Cure Yourself, To Prevent Sexual Diseases Spreading from the Afflicted \* \* \*," (booklet) "This medicine does destroy the germ of gonorrhea \* \* \* For Gonorrhea, use Zit Complete, Stearns'," whereas said articles contained no ingredients capable of producing the curative and therapeutic effects claimed for them, and the statements on the carton and in the circulars and in the booklets were false and fraudulent. Misbranding was alleged in substance for the further reason that the said articles were accompanied by a circular and booklet, copies of which were attached to the libel and marked "Exhibit A" and "Exhibit B," and made a part of the libel by the United States attorney, which said circular and booklet contained statements, regarding the curative and therapeutic effects of said articles and the ingredients and substances contained therein, which were false and fraudulent for the reason that the articles contained no ingredients or combination of ingredients capable of producing the curative and therapeutic effects claimed for said articles therein.

On July 30, 1919, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9082. Misbranding of Benetol Vaginal Suppositories. U. S. \* \* \* v. 136 Packages of \* \* \* Benetol Vaginal Suppositories. Consent decree adjudging the product to be misbranded and ordering its release under bond. (F. & D. Nos. 11413, 11414. I. S. Nos. 2666-r, 2667-r. S. Nos. W-513, W-514.)**

On October 3, 1919, 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 for the seizure and condemnation of 136 packages of Benetol Vaginal Suppositories, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Benetol Co., Minneapolis, Minn., and transported from the State of Minnesota into the State of California, in part on April 12 and July 14, 1919, and that the remainder had arrived at San Francisco on September 10, 1919, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the suppositories consisted essentially of alpha- and beta-naphthol, boric acid, and traces of menthol and phenol in a cacao butter base.

It was alleged in substance in the libel that the article was misbranded for the reason that the following statements appearing on the box containing the article and in the booklet accompanying it, regarding the curative and therapeutic effect thereof, (box) "Benetol Suppositories For Women \* \* \* For The Treatment Of The Special Diseases Of Women \* \* \* Use In Vagina \* \* \* Directions—As A General Disinfectant And Local Tonic Insert A Suppository Into The Vagina At Night Before Retiring. For The Treatment Of Leucorrhœa (Whites). Vaginitis, Vulvitis. Cervicitis, Endometritis, Gonorrhœa, And All Diseases Of The Vagina And For Inflammation Or Irritation Of The Cervix (Mouth Of The Womb) Insert A Suppository High In The Vagina At Night And Take Benetol Douche Next Morning. \* \* \*." (booklet) "\* \* \* Leucorrhœa or Whites—Insert a 'Suppository for Women' at night high in the vagina, and next morning take a two quart douche containing a tablespoonful of Benetol. Other diseases peculiar to women. Vulvitis, Vaginitis, Cervicitis, Endometritis, etc., are treated by the same method \* \* \* Benetol Suppositories For Women \* \* \* The Suppositories \* \* \* Benetol douche. \* \* \* This treatment is of especial value in leucorrhœa and vaginitis and of course as a \* \* \* treatment of the sexual diseases \* \* \*," were false and fraudulent, as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 17, 1919, the Benetol Co. having consented to a decree, judgment was entered in which it was found that the article was misbranded, and it was ordered by the court that the product be delivered to 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9083. Misbranding of Benetol. U. S. \* \* \* v. 3,594 Packages of \* \* \* Benetol. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 11587, 11588, 11589. I. S. Nos. 2670-r, 2671-r, 2672-r. S. Nos. W-531, W-532, W-533.)**

On November 11, 1919, 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 for the seizure

and condemnation of 3,504 packages of Benetol, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Benetol Co., Minneapolis, Minn., between July 14 and October 1, 1919, and transported from the State of Minnesota into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an alkaline emulsion containing alpha-naphthol soap, glycerin, and traces of alcohol and essential oils.

It was alleged in substance in the libel that the article was misbranded for the reason that the following statements appearing in the booklet accompanying said article, regarding its curative and therapeutic effect, "Men and Women—Will find Benetol a highly efficient douche or injection or local wash, to insure against infection or to quickly check germ diseases. \* \* \* Gonorrhoea.—Take internally twenty drops in hot water after meals and before retiring. As injection, irrigation or douche use thirty drops of Benetol per glass of warm water \* \* \* Use at night before retiring. \* \* \* Gleet.—Start treatment as above and gradually increase injection, etc., to teaspoonful per glass of water if necessary," were false and fraudulent, as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 17, 1919, the said Benetol Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said company 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9084. Adulteration of canned dried Lima beans. U. S. \* \* \* v. 12 Cases of Canned Dried Lima Beans. Default decree of condemnation and forfeiture. Product ordered sold or destroyed. (F. & D. No. 13157. I. S. No. 16591-r. S. No. E-2464.)**

On August 2, 1920, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 cases of canned dried Lima beans, remaining in the original unbroken packages at Atlanta, Ga., consigned by the Thomas Canning Co., Grand Rapids, Mich., alleging that the article had been shipped on or about March 25, 1920, and transported from the State of Michigan into the State of Georgia, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Thomas' Dried Ripe Lima Beans Thomas Canning Co. Grand Rapids, Mich."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, to wit, nonsterile and decomposed Lima beans.

On January 24, 1921, 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 sold by the United States marshal as adulterated canned Lima beans and unfit for human food, or if a purchaser could not be found, that the same be destroyed.

E. D. BALL, *Acting Secretary of Agriculture.*

**9085. Adulteration and misbranding of mustard. U. S. \* \* \* v. 4 Barrels, 5 Barrels, 5 Barrels, and 5 Barrels of Alleged Prepared Mustard \* \* \*. Decree of condemnation. Product ordered released on bond.** (F. & D. Nos. 13786, 13812, 13826, 13827. I. S. Nos. 8425-r, 8428-t, 8429-t, 8430-t. S. Nos. E-2830, E-2840, E-2844.)

On October 13, 21, and 28, 1920, 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 libels for the seizure and condemnation of 4 barrels, 5 barrels, 5 barrels, and 5 barrels of alleged prepared mustard, consigned on or about August 23, 1920, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Budlong Pickle Co., Chicago, Ill., and transported from the State of Illinois into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Plochman & Witt Standard Brand Prepared Mustard Colored With Turmeric."

Adulteration of the article was alleged in substance in the libels for the reason that a substance, to wit, mustard hulls, had been mixed and packed with, and substituted wholly or in part for, the article, and for the further reason that it was colored in a manner whereby its damage or inferiority was concealed.

Misbranding was alleged for the reason that the statement on the label, "Standard Brand Prepared Mustard," was false and misleading and deceived and misled the purchaser, since the article was not standard brand prepared mustard, and for the further reason that said article was an imitation of, and was offered for sale under the distinctive name of, another article.

On December 14, 1920, Plochman & Witt, Chicago, Ill., claimants, having filed their answer to the libels and the cases having come on for final disposition and due deliberation having been had, judgment of condemnation was entered, and it was ordered by the court that the product be delivered to said claimants upon payment of the costs of the proceedings and the execution of a bond in the sum of \$400, in conformity with section 10 of the act, conditioned in part that the article be relabeled before being sold or disposed of.

E. D. BALL, *Acting Secretary of Agriculture.*

**9086. Adulteration of nonalcoholic beverages. U. S. \* \* \* v. 3 Kegs of Nonalcoholic Beverages. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13876. I. S. No. 13602-t. S. No. E-2866.)

On November 20, 1920, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 kegs of nonalcoholic beverages, remaining in the original unbroken packages at East Point, Ga., consigned by the Red Cross Mfg. Co., St. Louis, Mo., alleging that the article had been shipped on or about September 27, 1920, and transported from the State of Missouri into the State of Georgia, and charging adulteration in violation of the Food and Drugs Act. The kegs were labeled in part, "Orange Non Alcoholic Cli-co Artificial Flavor And Color Orange Flavor Sweetened with Saccharin," and "Cherry Non Alcoholic Cli-co Artificial Flavor and Color Cherry Flavor Sweetened with Saccharin," and "Port Cordial Non Alcoholic Cli-co Artificial Flavor And Color Port Cordial Flavor Sweetened with Saccharin," "\* \* \* Guaranteed by Red Cross Mfg. Co. St. Louis, Mo."



Adulteration of the article was alleged in the libel for the reason that a product having no food value, to wit, saccharin, had been mixed and packed with said article so as to reduce and lower and injuriously affect its quality, and had been substituted wholly or in part for said article. Adulteration was alleged for the further reason that the article contained an added deleterious ingredient, to wit, saccharin, which might render it injurious to health.

On January 24, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9087. Misbranding of Dr. J. H. McLean's Sarsaparilla Compound. U. S. \* \* \* v. 68 Bottles of \* \* \* Dr. J. H. McLean's Sarsaparilla Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14064. I. S. No. 10429-t. S. No. W-803.)**

On or about December 9, 1920, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 68 bottles of Dr. J. H. McLean's Sarsaparilla Compound, remaining unsold in the original unbroken packages at Albuquerque, N. Mex., alleging that the article had been shipped on August 16, 1920, by the Dr. J. H. McLean Medicine Co., St. Louis, Mo., and transported from the State of Missouri into the State of New Mexico, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of iodids, a laxative plant drug, saponin (sarsaparilla), plant extractives including resins, salts of iron, potassium, and sodium, sugar, alcohol, and water.

It was alleged in substance in the libel that the article was misbranded for the reason that the labels thereof bore statements, designs, and devices, regarding the therapeutic and curative effects of said article, as follows, to wit, (bottle) "Dr. J. H. McLean's Sarsaparilla Compound \* \* \* It frequently happens that persons find an aggravation of their complaint after taking a few doses of Dr. J. H. McLean's Sarsaparilla, but this must be regarded as an indication that the curative process has commenced. \* \* \*," (carton) "Dr. J. H. McLean's Sarsaparilla Compound \* \* \* For The Treatment Of Ailments Resulting From Impurity Of The Blood Such As Scrofula and all Scrofulous Humors, Goitre or Swollen Neck, Erysipelas, Old Sores, Eruptions on the Face or any part of the Body, Boils, Pimples, Blotches, Indolent Ulcers. Pains in the Bones, Rheumatism, Salt Rheum, Canker in the Mouth or Throat. Chronic Inflammation of the Mucous Membrane which lines the Nose, Throat, Windpipe, Ears and other parts and General Debility. \* \* \* for Specific Blood Poisoning, general purifying the blood, \* \* \* and for symptoms which denote blood diseases, such as pimples, skin eruptions, etc. \* \* \*," (circular) "Dr. J. H. McLean's Sarsaparilla Compound. For The Treatment Of Impurities of the Blood, Diseases caused by Impure or Impoverished Blood, Spring Fever, Scrofulous Diseases, Sores, Ulcers, etc., and For Constitutional Blood Poison. \* \* \* a blood cleanser, enricher \* \* \* It assists in giving life and vitality to impoverished blood and in cleansing the blood of impurities which if allowed to remain in the system will cause serious diseases. By removing the impure matter from the blood, one great step toward health is taken. The next step necessary, is to enrich the blood so that the whole system is properly nourished. Dr. J. H. McLean's Sarsaparilla Compound aids in accomplishing both. Pimples, Boils, Carbuncles, Skin Blotches and Spots are in-

dications that the blood is impure. \* \* \* Take Dr. J. H. McLean's Sarsaparilla Compound when those indications appear. It aids in cleansing your blood, so that you may enjoy health. \* \* \* The children of parents who had Syphilis, or whose parents were liquor drinkers are very liable to Scrofula. Women who have Leucorrhœa, or other female complaints are liable to have Scrofulous children. \* \* \* for the treatment of Scrofula or Scrofulous diseases, \* \* \* Boils \* \* \* should be treated by taking Dr. J. H. McLean's Sarsaparilla Compound \* \* \* for the treatment of Carbuncle. \* \* \* Persons tainted with Syphilis or Scrofula are very subject to Ulcers. In the treatment of Ulcers, \* \* \* Dr. J. H. McLean's Sarsaparilla Compound should be taken internally \* \* \* for the treatment of Goitre. \* \* \* Anemia. \* \* \* weariness and lassitude. \* \* \* In the treatment of Erysipelas \* \* \* take Dr. J. H. McLean's Sarsaparilla Compound. \* \* \*," which said statements were false and fraudulent in that the article contained no ingredients or combination of ingredients capable of producing the results and effects claimed therefor in the said labels upon the bottles and cartons and in the circulars.

On January 18, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9088. Adulteration of walnuts. U. S. \* \* \* v. 19 Bags of Walnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14011. I. S. No. 10441-t. S. No. W-814.)**

On or about December 15, 1920, 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 for the seizure and condemnation of 19 bags of walnuts, remaining unsold in the original unbroken packages at Pueblo, Colo., consigned by the J. B. Inderrieden Co., Rivera, Calif., alleging that the article had been shipped on or about November 22, 1919, and transported from the State of California into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, to wit, decomposed, rotten, and wormy walnuts.

On February 14, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**5089. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 499 Cases \* \* \* of Steuben Brand Reduced Cider Vinegar. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 14113. I. S. No. 7840-t. S. No. E-3012.)**

On December 23, 1920, 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 for the seizure and condemnation of 499 cases of Steuben Brand reduced cider vinegar, consigned by the Naas Cider Vinegar Co., Cohocton, N. Y., remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about August 23, 1920, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the product was alleged in the libel for the reason that distilled vinegar had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in whole or in part for cider vinegar, and for the further reason that said article had been mixed in a manner whereby damage and inferiority had been concealed.

Misbranding was alleged in substance for the reason that the label bore the following statements, designs, and devices, regarding said article and the ingredients and substances contained therein, "Steuben Brand Reduced Cider Vinegar Reduced To 4% Acetic Acid Fermented Made From Apples \* \* \*," together with a pictorial representation of a red apple, which were false and misleading in that they indicated to the purchaser that the article was cider vinegar, when, in fact, it was not. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, and for the further 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 January 20, 1921, the said Naas Cider Vinegar Co., Cohocton, N. Y., claimant, having admitted the averments of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of all the costs of the proceedings and the execution of a bond in the sum of \$2,400, in conformity with section 10 of the act, conditioned in part that the product be relabeled under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**8090. Misbranding of Pabst's Okay Specific. U. S. \* \* \* v. Friedholm Pabst (Pabst Chemical Co.). Plea of guilty. Fine, \$168.40 and costs. (F. & D. No. 7827. I. S. No. 3654-1.)**

On March 20, 1917, 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 an information against Friedholm Pabst, trading as the Pabst Chemical Co., Chicago, Ill., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about April 29, 1916, from the State of Illinois into the State of Florida, of a quantity of Pabst's Okay Specific which was misbranded. The article was labeled in part, "Guaranteed by The Pabst Chemical Co., \* \* \* Manufacturers and Proprietors Pabst Chemical Co. N. I. Chicago, Ill."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, buchu, water, and 22.2 per cent by volume of alcohol. The presence of cubebs and an oil resembling pennyroyal was indicated.

Misbranding of the article was alleged in substance in the information for the reason that certain statements regarding the therapeutic or curative effects thereof, appearing on the label of the wrapper and bottle and included in an accompanying circular, falsely and fraudulently represented the article to be effective as a specific for gonorrhoea, gleet, leucorrhoea, kidney affections, bladder affections, and chronic, seminal, or mucous discharges, as a reliable and safe remedy for gonorrhoea, gleet, leucorrhoea in women, and for chronic, seminal, and mucous discharges, to give complete and permanent relief in cases of gonorrhoea and gleet, as a cure for gonorrhoea and gleet, and as an absolute remedy for gonorrhoea and gleet, when, in truth and in fact, it was not.

On October 17, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$168.40 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**9091. Adulteration of milk. U. S. \* \* \* v. Anton Steinmann. Plea of nolo contendere. Fine, \$75 and costs. (F. & D. No. 10300. I. S. No. 10480-p.)**

On October 9, 1919, the Grand Jurors of the United States within and for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for the district aforesaid an indictment against Anton Steinmann, Aviston, Ill., charging shipment by said defendant, in violation of the Food and Drugs Act, on August 22, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated. The article was labeled in part, "From Anton Steinmann Station Aviston, Ills."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the presence of added water and of insoluble foreign matter.

Adulteration of the article was charged in the indictment for the reason that a substance, to wit, added water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for milk, which the article purported to be. Adulteration was alleged for the further reason that it consisted in whole or in part of a filthy animal substance.

On October 20, 1920, the defendant entered a plea of nolo contendere to the indictment, and the court imposed a fine of \$75 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**9092. Misbranding of cottonseed cake. U. S. \* \* \* v. Southland Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 11614. I. S. Nos. 10868-r, 10869-r, 10871-r.)**

On May 5, 1920, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Southland Cotton Oil Co., a corporation, Paris, Tex., and operating a mill at Chandler, Okla., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about December 5, 7, and 17, 1918, from the State of Oklahoma into the State of Kansas, of quantities of cottonseed cake which was misbranded. The article was labeled in part, "100 Pounds Gross \* \* \* Manufactured By Southland Cotton Oil Co., Head Office Paris, Texas."

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "100 pounds gross," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that each of said filled sacks weighed 100 pounds, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said filled sacks weighed 100 pounds, whereas, in truth and in fact, each of said filled sacks weighed a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On January 29, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**5093 Adulteration of scallops. U. S. \* \* \* v. Woodland & Co., a Corporation. Submission to information. Fine, \$19 and costs. (F. & D. No. 11806. I. S. Nos. 12678-r, 13827-r, 15551-r.)**

On July 3, 1920, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Woodland & Co., a corporation, Morehead City, N. C., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 19, 26, and 29, 1919, from the State of North Carolina into the States of Maryland, Massachusetts, and New York, respectively, of quantities of scallops which were adulterated.

Examination of samples of the article by the Bureau of Chemistry of this department showed that the product had been soaked with water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for scallops, which the article purported to be.

On October 12, 1920, the defendant company submitted to the information, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**5094. Misbranding of Nutrine Brand cottonseed cake. U. S. \* \* \* v. John J. Scroggin, W. Orville Scroggin, Wm. F. Bridewell, and James S. Martin, Copartners (J. Morrillton Cotton Oil Co.). Pleas of guilty. Fine, \$50 and costs. (F. & D. No. 12339. I. S. No. 12048-r.)**

On December 22, 1920, the United States attorney for the Eastern District of Arkansas, 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 J. Scroggin, W. Orville Scroggin, Wm. F. Bridewell, and James S. Martin, copartners, trading as the J. Morrillton Cotton Oil Co., Morrillton, Ark., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about March 6, 1919, from the State of Arkansas into the State of Kansas, of a quantity of cottonseed cake which was misbranded. The article was labeled in part, "Nutrine Brand Cotton Seed Cake \* \* \* 100 Lbs. Gross—99 Lbs. Net."

Thirty sacks of the product weighed by the Bureau of Chemistry of this department showed an average net weight of 97.05 pounds.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "100 Lbs. Gross—99 Lbs. Net." borne on the tags attached to the sacks containing the article, regarding the article, was false and misleading in that it represented that each of the sacks weighed 100 pounds gross and contained 99 pounds net of the article, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the sacks weighed 100 pounds gross and contained 99 pounds net of the article, whereas, in truth and in fact, each of the sacks did not weigh 100 pounds gross but weighed a less amount, and each of the sacks did not contain 99 pounds net of the article but contained a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On February 3, 1921, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**9095. Adulteration of tomato purée. U. S. \* \* \* v. 150 Cases of Tomato Purée. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12591. I. S. No. 9312-r. S. No. C-1899.)**

On April 19, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 150 cases of tomato purée, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Lapel Canning Co., Cincinnati, Ohio, on October 3, 1919, and transported from the State of Ohio into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled, "Lapel Brand Tomato Puree. Made From Small Tomatoes and Tomato Trimmings Ready to Use for Soups and Sauces Contents 1 lb., 3 ozs. Packed By Lapel Canning Company, Lapel, Indiana."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding was alleged in substance for the reason that the labeling was false and misleading and deceived and misled the purchaser into the belief that the product consisted wholly of tomatoes, when it contained filthy, decomposed, and putrid vegetable matter, and for the further reason that the product was an imitation of, and was offered for sale under the distinctive name of, another article.

On February 7, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9096. Adulteration of oysters. U. S. \* \* \* v. William P. Kinslow (M. Kinslow & Son). Plea of guilty. Fine, \$25. (F. & D. No. 13937. I. S. No. 16628-r.)**

On February 3, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against William P. Kinslow, trading as M. Kinslow & Son, Washington, D. C., alleging that on February 27, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of oysters which were adulterated.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for oysters, which the article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, oyster solids, had been wholly or in part abstracted.

On February 3, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**9097. Adulteration of oysters. U. S. \* \* \* v. Bernard J. Corridon. Plea of guilty. Fine, \$25. (F. & D. No. 13938. I. S. Nos. 16625-r, 16660-r.)**

On February 3, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against Bernard J. Corridon, Washington, D. C., alleging that on February 6 and 26, 1920, the said defendant did offer

for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, quantities of oysters which were adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for oysters, which the article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, oyster solids, had been wholly or in part abstracted.

On February 3, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**9098. Adulteration of oysters. U. S. \* \* \* v. Joseph H. Chivell. Collateral of \$50 forfeited. (F. & D. No. 13941. I. S. No. 16757-r.)**

On February 5, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against Joseph H. Chivell, Washington, D. C., alleging that on March 12, 1920, the said defendant did offer for sale and sell at the District of Columbia, in violation of the Food and Drugs Act, a quantity of oysters which were adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for oysters, which the article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, oyster solids, had been wholly or in part abstracted.

On February 5, 1921, the defendant having failed to enter an appearance, the \$50 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**9099. Adulteration of oysters. U. S. \* \* \* v. Thomas A. Sears (Sear's Market). Plea of guilty. Fine, \$25. (F. & D. No. 13943. I. S. No. 16655-r.)**

On February 3, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against Thomas A. Sears, trading as Sear's Market, Washington, D. C., alleging that on February 6, 1920, the said defendant did offer for sale and sell at the District of Columbia, in violation of the Food and Drugs Act, a quantity of oysters which were adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for oysters, which the article purported to be, and for the further reason that a valuable constituent of the article, to wit, oyster solids, had been wholly or in part abstracted.

On February 3, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

9100. Adulteration and misbranding of santal oil. U. S. \* \* \* v. 500  
\* \* \* 10 Minims, \* \* \* and 900 Soluble Elastic Capsules, of  
Santal Oil, 5 Minims \* \* \*. Default decree of condemnation,  
forfeiture, and destruction. (F. & D. No. 10834. I. S. Nos. 15860-r,  
15861-r. S. No. E-1639.)

On August 6, 1919, the United States attorney for the Southern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 500 soluble elastic capsules, 10 minims, and 900 soluble elastic capsules, 5 minims, more or less, of santal oil, at Charleston, W. Va., alleging that the article had been shipped on July 17, 1918, by the Evans Drug Mfg. Co., Greensburg, Pa., and transported from the State of Pennsylvania into the State of West Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Santal Oil East India, 10 Min.," and "Sandalwood Oil East India 5 Min."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted of a mixture containing more than 70 per cent of cottonseed oil.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the tests therein laid down, and for the further reason that said article fell below the professed standard and quality under which it was sold, in strength and purity.

Misbranding was alleged in substance for the reason that the branding and labeling of the article was false for the further reason that by virtue of the statements contained on the labels of said article it was an imitation of another article, and was offered for sale under the name of another article.

On November 29, 1919, 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.

E. D. BALL, *Acting Secretary of Agriculture.*



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# United States Department of Agriculture,

## BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

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### SERVICE AND REGULATORY ANNOUNCEMENTS.

#### SUPPLEMENT.

N. J. 9101-9150.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., June 7, 1921.]

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#### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**9101. Misbranding of Injection Zip. U. S. \* \* \* v. 21 Bottles \* \* \* of Injection Zip. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10877. I. S. No. 15863-r. S. No. E-1630.)

On August 6, 1919, the United States attorney for the Southern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 21 bottles, more or less, of Injection Zip, at Huntington, W. Va., alleging that the article had been shipped in March, 1919, by John D. Park & Son, Cincinnati, Ohio, and transported from the State of Ohio into the State of West Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Injection Zip \* \* \* Cannot Produce Stricture. Manufactured Only By The Baker-Levy Chemical Co. \* \* \* Indianapolis, Indiana."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of acetates and sulphates of lead and zinc, alkaloids of opium and hydrastis, plant extractives, alcohol, and water.

It was alleged in substance in the libel that the article was misbranded for the reason that the circular accompanying the article contained the following statements, to wit, "An Excellent Preparation For The Treatment Of Gonorrhoea, Gleet, and Leucorrhoea. \* \* \* a tried preparation for the above diseases \* \* \* the best injection on the market for the purpose. Ladies troubled with Leucorrhoea (Whites) will obtain a speedy relief," which said statements to the effect that the product was a remedy for gonorrhoea, gleet, and leucorrhoea, and the statement that the product could not produce stricture, were false and fraudulent.

On November 29, 1919, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9102. Adulteration and misbranding of evaporated apples. U. S. \* \* \* v. 200 Boxes \* \* \* of Evaporated Apples. Product ordered released on bond. (F. & D. No. 12536. I. S. No. 13053-r. S. No. E-2045.)**

On March 31, 1920, the United States attorney for the District of New Hampshire, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 200 boxes of evaporated apples, at Keene, N. H., alleging that the article had been shipped on or about March 6, 1920, by Rosenberg Bros. & Co., from Watsonville, Calif., and transported from the State of California into the State of New Hampshire, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, "78 Treated with Sulphur-dioxide Extra Choice Evaporated Apples Bleached with Sulphur net fifty lbs."

Adulteration of the article was alleged in the libel for the reason that an excessive amount of water had been mixed and packed with, and substituted in whole or in part for, dried apples.

Misbranding was alleged for the reason that the statement in the label attached to the boxes, to wit, "Extra Choice Evaporated Apples," was false and misleading and tended to deceive or mislead the purchaser thereof.

On June 16, 1920, the said Rosenberg Bros. & Co. having filed its bond in the sum of \$500, in conformity with section 10 of the act, it was ordered by the court that the property be delivered to said claimant company upon payment of the costs of the proceedings and upon the proper branding of the article so as to bring it in conformity with the law.

E. D. BALL, *Acting Secretary of Agriculture.*

**9103. Misbranding of Hall's Texas Wonder. U. S. \* \* \* v. 3 Dozen Bottles of Hall's Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12946. I. S. No. 120-r. S. No. E-2393.)**

On June 22, 1920, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Hall's Texas Wonder, remaining in the original unbroken packages at Atlanta, Ga., alleging that the article had been shipped on or about March 24, 1920, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children;" (circular) "In cases of Gravel and Rheumatic Troubles it should be taken every night in 25-drop doses until relieved."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

It was alleged in substance in the libel that the article was misbranded for the reason that the above-quoted statements regarding the curative and therapeutic effects thereof, appearing on the label of the carton and in the circular,

were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchaser thereof, and to create in the mind of the purchaser thereof, the impression and belief that said product was in whole or in part composed of or contained medicinal agents effective, among other things, as a remedy, cure, and preventive of kidney and bladder troubles, weak and lame back, rheumatism, and gravel, and that the same would regulate bladder trouble in children, whereas, in truth and in fact, it was not effective for the purposes named.

On January 24, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9104. Misbranding of Stopsit. U. S. \* \* \* v. 9 Bottles and 2 Dozen Bottles \* \* \* of Stopsit. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 12948, 12949. I. S. Nos. 24461-r, 24464-r. S. Nos. C-1992, C-1993.)

On July 2, 1920, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 9 bottles and 2 dozen bottles, more or less, of Stopsit, consigned on March 23, 1920, remaining unsold in the original packages at Columbus, Ohio, alleging that the article had been shipped by the O. K. Remedy Co., Indianapolis, Ind., and transported from the State of Indiana into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of two preparations, a liquid consisting essentially of an aqueous solution of berberine, and a powder consisting of potassium permanganate.

It was alleged in the libels that the article was misbranded for the reason that said drug and retail packages purported to contain an excellent preparation for the treatment of gonorrhoea, gleet, and leucorrhoea, known as "Stopsit," only by reason of statements on the label thereof, whereas, in truth and in fact, said retail packages and circulars were false and misleading [fraudulent] in that the product or drug contained therein had little or no ingredients or substances capable of producing the curative and therapeutic effects claimed therefor.

On February 4, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9105. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 43 Barrels, 6 Barrels, and 80 Barrels of a Product Labeled \* \* \* "Cider Vinegar." Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13106, 13107, 13108. I. S. Nos. 13098-r, 13094-r, 13099-r. S. Nos. E-2434, E-2437, E-2439.)

On July 28, 1920, the United States attorney for the District of Maine, 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 43 barrels, 6 barrels, and 80 barrels of a product labeled, respectively, in part, "Crescent Brand Pure Cider Vinegar," "Pure Cider Vinegar Imperial Brand," and "Pure 4C Cider Vinegar," consigned by F. E. Jewett & Co., Lowell, Mass., remaining unsold in the original unbroken packages at Portland and Bangor,

Me., alleging that the article had been shipped on or about June 12 and May 7, 1920, and transported from the State of Massachusetts into the State of Maine, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that distilled vinegar had been mixed and packed with, and substituted wholly or in part for, apple cider vinegar.

Misbranding was alleged for the reason that the statements appearing in the labeling of the article, respectively, to wit, "Crescent Brand Pure Cider Vinegar," "Pure Cider Vinegar," and "Pure 4C Cider Vinegar made from Apples," were false and misleading so as to deceive and mislead the purchaser, and for the further reason that said article was an imitation of, and offered for sale under the distinctive name of, another article.

On August 30 and September 13, 1920, and February 10, 1921, 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 and that the barrels in which the same was contained be sold.

E. D. BALL, *Acting Secretary of Agriculture.*

**9106. Misbranding of Chase's Nerve Pills. U. S. \* \* \* v. 10 Dozen Packages and 81 Packages \* \* \* of Dr. A. W. Chase's Nerve Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13361, 13362. I. S. Nos. 12400-t, 1213-t. S. Nos. C-2165, C-2257.)**

On August 18, 1920, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 10 dozen packages and 81 packages, more or less, of Dr. A. W. Chase's Nerve Pills, consigned by the Dr. A. W. Chase Medicine Co., Buffalo, N. Y., about June 7 and January 13, 1920, respectively, remaining unsold in the original packages at Columbus, Ohio, alleging that the article had been transported from the State of New York into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of strychnine, arsenic, manganese, ferrous carbonate, and aloes.

It was alleged in substance in the libels that the article was misbranded for the reason that on the packages and containers thereof it was represented that said product was "Used In The Treatment Of \* \* \* Nervous Prostration \* \* \* Nervous Headache Nervous Dyspepsia \* \* \* Irregular Heart Action Dizziness & Fainting Sleeplessness \* \* \* impart new life and strength to every organ of the body, create new brain and nerve tissue, and make it next to impossible for the following diseases and symptoms of diseases to set in: Nervous prostration, exhaustion, depression, \* \* \* sleeplessness, \* \* \* lack of energy, ambition and nerve force, paralysis, and locomotor ataxia; \* \* \* diseased blood, \* \* \* female troubles, leucorrhœa \* \* \*, painful, profuse or suppressed menstruation, tardy development of girls, sexual debility, loss of vital forces, premature decay, heart affections, neuralgia, rheumatism, la grippe, and all diseases of the brain and nerves. \* \* \* On account of their extraordinary restorative influence and \* \* \* action on the system, \* \* \* Nerve Pills are especially suited to the needs of children. \* \* \* weak and puny boys and girls become strong, healthy and robust. \* \* \* nourish the blood and nerves \* \* \* nourish the weakened and

exhausted nervous system back to health and strength, \* \* \* through the nerve fibres, \* \* \* send new vitality through the whole human system. \* \* \* nerves \* \* \* must be completely restored by such nourishment as can best be supplied by \* \* \* Nerve Pills, the great restorative \* \* \* loss of sensation in the hands, partial loss of memory \* \* \* dizziness and uncertainty in walking. \* \* \* should be treated \* \* \* while there is hope of complete recovery. \* \* \* Nerve Pills, \* \* \* restore the wasted nerve force, \* \* \* by strengthening the nerves give them full control of the female organs. \* \* \* no preparation known \* \* \* will more quickly create new, rich blood than \* \* \* Nerve Pills \* \* \* contain the life-giving principles that entitle the blood to be called the 'vital fluid.' \* \* \* make pale weak men and women strong and healthy. \* \* \* give to the thin and emaciated a well rounded form which tells of a steady advance in health. \* \* \*," that said product purported to contain and be a cure for such diseases, disorders, and symptoms only by reason of the statements on the labels of the packages or containers of the article, which said statements were false, fraudulent, and misleading in that the article had little or no ingredients capable of producing the curative and therapeutic effects claimed therefor.

On February 4, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9107. Adulteration and misbranding of lithia water. U. S. \* \* \* v. 25 Cases \* \* \* of a Product Purporting to be Lithia Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13869. I. S. No. 7489-t. S. No. E-2851.)**

On November 16, 1920, 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 for the seizure and condemnation of 25 cases of a product purporting to be lithia water, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about September 9, 1920, by the Equinox Mountain Spring Co., Manchester, Vt., and transported from the State of Vermont into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Equinox Equinox Spring Co. Manchester Vermont The Equinox Mountain Spring Inc. \* \* \* Trade Mark Registered Equinox Lithia Water Artificially Carbonated Bottled at Equinox Springs Manchester, Vermont, U. S. A."

Adulteration of the article was alleged in the libel for the reason that an artificially prepared mineral water had been substituted wholly or in part for the actual lithia water, which the article purported to be.

Misbranding was alleged for the reason that the packages containing the article and the labels thereon bore statements regarding the said article and the ingredients and substances contained therein, to wit, "Equinox Lithia Water \* \* \* Bottled at Equinox Springs," "The Equinox Mountain Spring," which were false and misleading and deceived and misled the purchaser when applied to an artificial mineral water, prepared by adding a salt of lithium, sodium chlorid, and sodium bicarbonate to a lightly mineralized spring water, and for the further reason that said article was an imitation of, and was offered for sale under the distinctive name of, another article.

On January 24, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9108. Misbranding of Antilaiteuse. U. S. \* \* \* v. 30 Packages, 8 Packages, 3 Bottles, and 48 Bottles of \* \* \* Antilaiteuse. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 14087, 14088, 14107, 14108. Inv. Nos. 24551, 24552, 24527, 24528, 24533. S. Nos. E-2996, E-2998, E-3007, E-3008, E-3009.)

On December 22 and December 24, 1920, the United States attorney for the District of Maine, 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 30 packages, 8 packages, 3 bottles, and 48 bottles of Antilaiteuse, consigned by Dr. N. A. Sirois, Manchester, N. H., remaining unsold in the original unbroken packages at Springvale, Biddeford, Lewiston, and Livermore Falls, Me., alleging that the article had been shipped on or about November 19, November 11, November 30, and September 13, 1920, and transported from the State of New Hampshire into the State of Maine, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of Epsom salts, about 85 per cent, and ground juniper berries.

It was alleged in substance in the libels that the article was misbranded for the reason that the packages containing it bore certain statements regarding the curative and therapeutic effects of such articles, as follows, "Potion Antilaiteuse \* \* \* Remedy For Men and Women To Cleanse and Relieve the body and blood of all poisons and impurities causing all kinds of disorders. \* \* \* Weening, removal of milk from limbs and blood, to prevent miscarriage, diseases of the womb, change of life, dropsy, kidney disease, rheumatism, eclampsia, excessive stoutness, paralysis, piles \* \* \* and poor digestion. \* \* \* It acts by cleaning the kidneys, \* \* \* and the blood," which said statements were false and fraudulent in that the article contained no ingredient or ingredients capable of producing the curative or therapeutic effects claimed for it in said statements.

On January 22, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9109. Adulteration and misbranding of catsup. U. S. \* \* \* v. 24 Cases \* \* \* of Royal Kitchen Brand Tomato Catsup. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 14142. I. S. No. 7842-t. S. No. E-3039.)

On January 5, 1921, 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 for the seizure and condemnation of 24 cases, more or less, of Royal Kitchen Brand tomato catsup, consigned by Ross Rizzo, Albion, N. Y., remaining in the original unbroken packages at Coatesville, Pa., alleging that the article had been shipped on or about November 13, 1920, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Royal Kitchen Brand Tomato Catsup \* \* \* Made From Selected Tomatoes \* \* \* Contents 10 Oz. \* \* \* Packed By Thomas Page, Albion, N. Y., U. S. A."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding was alleged in substance for the reason that the retail packages in which the product was inclosed contained labels which bore the following



statements, regarding said article and the ingredients and substances contained therein, which were false and misleading in that said statements indicated to the purchaser that the packages contained, when in fact they did not contain, "Royal Kitchen Brand Tomato Catsup \* \* \* Made From Selected Tomatoes \* \* \* Contents 10 Oz." Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On January 25, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9110. Misbranding of Knoxit Globules. U. S. \* \* \* v. 2 Dozen Bottles and 5 Dozen Bottles \* \* \* of Knoxit Globules \* \* \*. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 10242, 10243. I. S. Nos. 2755-r, 2754-r. S. Nos. W-338, W-337.)**

On May 5, 1919, 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 libels for the seizure and condemnation of 2 dozen and 5 dozen bottles of Knoxit Globules, remaining in the original unbroken packages at San Francisco, Calif., consigned by the Beggs Mfg. Co., Chicago, Ill., alleging that the article had been shipped on October 30 and April 26, 1918, respectively, and transported from the State of Illinois into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Knoxit Globules \* \* \* Beggs Manufacturing Co."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the globules consisted essentially of copaiba balsam, oil of cassia, and a fixed oil, probably oil of sandalwood.

It was alleged in substance in the libels that the article was misbranded for the reason that it was labeled in part, (shipment of October 30, 1918) (bottle and carton) "Knoxit Globules. Cystitis Urethritis Vaginitis," (circular) "Knoxit Globules. For the treatment of Cystitis, Leucorrhœa, Vaginitis and Urethritis \* \* \*," (foreign languages) "\* \* \* Cure gonorrhœa and blenorrhœa \* \* \* have \* \* \* a soothing and effective action on the kidneys and bladder \* \* \*," (shipment of April 26, 1918) (retail carton) "Knoxit Globules. The Great Internal Gonorrhœa and Gleet Remedy," (bottle) "\* \* \* leave no ill effects," (circular) "\* \* \* The Great Internal Gonorrhœa Preparation. \* \* \* act gently and effectively upon the kidneys and bladder. \* \* \* reaches the disease through the kidneys and bladder, \* \* \* healing the mucous membranes. \* \* \* the discharge should cease in a few days," whereas said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it, and said statements on the cartons, in the circular, and on the bottle were false and fraudulent. It was alleged in substance that the article was misbranded for the further reason that two certain circulars accompanying said article, copies of which were attached to the libels by the United States attorney, marked Exhibits "A" and "B," and made a part of the libels, bore and contained statements, regarding the curative and therapeutic effects of the article and the ingredients and substances contained therein, which were false and fraudulent for the reason that said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed therein for said article.

On January 14, 1920, and June 10, 1919, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9111. Misbranding of cold pressed cotton seed. U. S. \* \* \* v. Peoples Ice & Manufacturing Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 10872. I. S. Nos. 10828-r, 10831-r.)**

On September 17, 1920, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Peoples Ice and Mfg. Co., a corporation, Brownsville, Texas, alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 20 and 21, 1918, respectively, from the State of Texas into the State of Kansas, of quantities of cold pressed cotton seed which was misbranded. The article was labeled in part, "100 Pounds (Net) Cold Pressed Cotton Seed Manufactured by Peoples Ice & Manufacturing Co. Brownsville, Texas."

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "100 Pounds (Net)," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that each of the sacks contained 100 pounds thereof, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the sacks contained 100 pounds thereof, whereas, in truth and in fact, each of the sacks did not contain 100 pounds of the article, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On December 8, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

**9112. Adulteration and misbranding of evaporated apples. U. S. \* \* \* v. 1,200 Cases of Evaporated Apples. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 12113. I. S. No. 36-r. S. No. E-1935.)**

On January 29, 1920, 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 for the seizure and condemnation of 1,200 cases of evaporated apples, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by order of Rosenberg Bros. & Co., Watsonville, Calif., on or about January 5, 1920, and transported from the State of California into the State of New York, 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 excessive amounts of water had been mixed and packed with, and substituted in part for, evaporated apples.

Misbranding was alleged for the reason that the article was an imitation of, and offered for sale under the distinctive name of, another article.

On March 1, 1920, Rosenberg Bros. & Co., Watsonville, Calif., having admitted the truth of 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 said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$12,000, in conformity with section 10 of the act, conditioned in part that the goods be sorted under the supervision of this department and that the portion which complied with the standard of this department be released, and the remainder redried so as to comply with said standard.

E. D. BALL, *Acting Secretary of Agriculture.*

**9113. Misbranding of A Texas Wonder. U. S. \* \* \* v. 144 Bottles of A Texas Wonder \* \* \*. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12919. I. S. No. 9544-r. S. No. C-1984.)

On June 18, 1920, the United States attorney for the Middle District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 144 bottles of A Texas Wonder, remaining in the original unbroken packages at Montgomery, Ala., alleging that the article had been shipped on June 7, 1920, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Alabama, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children;" (circular) "Read Carefully. In cases of Gravel and Rheumatic Troubles it should be taken every night in 25-drop doses until relieved."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

It was alleged in the libel that the article was misbranded for the reason that the above-quoted statements printed on said carton and in said circulars were false and fraudulent in that the product contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it on the carton and in the circular inclosed in the carton.

On January 7, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9114. Adulteration of spaghetti. U. S. \* \* \* v. 998 Cases of Spaghetti \* \* \*. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13128. I. S. No. 8401-t. S. No. E-2466.)

On August 2, 1920, 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 a libel for the seizure and condemnation of 998 cases, more or less, of spaghetti, remaining in the original unbroken packages at Baltimore, Md., consigned on or about July 12, 1920, alleging that the article had been transported from the State of Virginia into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On September 27, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9115. Misbranding of Hall's Texas Wonder. U. S. \* \* \* v. 3 Dozen Bottles of Hall's Texas Wonder. Default decree of destruction.** (F. & D. No. 13197. I. S. No. 9123-t. S. No. E-2471.)

On August 14, 1920, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Hall's Texas Wonder, remaining in the original unbroken packages at Jacksonville, Fla., consigned by G. Nash, St. Louis, Mo., alleging that the article had been shipped on or about July 24, 1920, from St. Louis, Mo., and transported from the State of Missouri into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

It was alleged in substance in the libel that the article was misbranded for the reason that its label and the circular accompanying it contained the following statements, regarding the curative or therapeutic effects of said article and the ingredients and substances contained therein, (carton) "A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children," (circular) "Read Carefully. In cases of Gravel and Rheumatic Troubles, it should be taken every night in 25-drop doses until relieved," which were false and fraudulent in that the article would not produce the curative and therapeutic effects which purchasers were led to expect, and which were applied to said article with a knowledge of their falsity, with a purpose to defraud purchasers thereof.

On January 27, 1921, no claimant having appeared for the property, judgment was entered finding the article to be subject to condemnation, and it was ordered by the court that the same be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9116. Misbranding of Parto-Glory. U. S. \* \* \* v. 22 Packages \* \* \* of Parto-Glory. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13584. I. S. No. 494-t. S. No. C-2363.)

On or about August 28, 1920, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 22 packages, more or less, of Parto-Glory, at Toledo, Ohio, alleging that the article had been shipped by the Partola Service Corporation, New York, N. Y., on or about March 17, 1919, and transported from the State of New York into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "\* \* \* Tonic For The Nerves;" (can) "\* \* \* For the Nerves \* \* \* For Every Form of Nervous Affliction. \* \* \* Used With Remarkable Success, \* \* \* Wherever Nerves Have Been Affected, Also In Afflictions Due Directly To Weakened Nerves, Such as: Run Down Condition, Nervous Prostration, Melancholia, Brain Fag, Poor Memory, Shaky Hands or Knees, Tired Feeling, \* \* \* Nervous Dyspepsia, Neuralgia, Effects of Tobacco Or

Alcohol \* \* \* ;" (circular) "The Great Upbuilder Of The Nervous System \* \* \* Headaches, Neuralgia, Nervous Twitchings, Irritability, Tired, Run-down Feeling, Weariness, Lassitude, \* \* \* Loss of Memory \* \* \* Great Wonderful Nerve Tonic \* \* \* strengthening and invigorating \* \* \* when \* \* \* Run-down, Fagged-out, Nervous, Irritable \* \* \* take Parto-Glory, \* \* \* a genuine, powerful nerve tonic, that builds up from the bottom. \* \* \* Parto-Glory contains restoring energies for young men who started off with the idea that nothing could sap the energies of their youth, and who have, therefore, 'gone the pace of youthful error' too rapidly. Parto-Glory is a friend in need for men and women who have indulged too freely in the excesses and frivolities of life, and who are alarmed by the evident decline of capacity, ability, and even desire, to take part in the joys of healthy, vigorous, ambitious manhood and womanhood. Parto-Glory is what the drinker needs to steady his nerves, clear his mind, brace him up \* \* \* give him a hold on himself that will aid in his restoration with resistance of such tendencies \* \* \* Parto-Glory is a great help in overcoming the effects of excessive smoking, \* \* \* used with great relief and comfort by women, \* \* \* during certain painful and weakening periods of the month."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an aqueous solution containing essentially salts of iron and potassium, strychnine, quinine, and bromids.

It was alleged in the libel that the article was misbranded for the reason that the above-quoted statements appearing upon the label of the article and in the circular accompanying it, regarding the curative and therapeutic effect thereof, were false and fraudulent, as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 20, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9117. Adulteration of dates. U. S. \* \* \* v. 385 Packages and 50 Cans of Dates \* \* \*. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13856. I. S. No. 4142-t. S. No. C-2576.)**

On December 17, 1920, 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 for the seizure and condemnation of 385 packages of dates, contained in cowhide wrappings, and 50 cans of dates, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by the Chicago Cold Storage Co., by order of L. S. Nachman, from Chicago, Ill., on or about September 22, 1920, and transported from the State of Illinois into the State of Wisconsin, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance, and for the further reason that it was mixed with hair from the cowhide wrappings.

On January 8, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9118. Adulteration and misbranding of butter. U. S. \* \* \* v. 4 Tubs of Butter. Product ordered released on bond. (F. & D. No. 13879. I. S. No. 9156-t. S. No. E-2888.)**

On November 22, 1920, 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 a libel for the seizure and condemnation of 4 tubs of butter, remaining unsold in the original unopened packages at Savannah, Ga., alleging that the article had been shipped by the Ferris Noeth Stern Co., Baltimore, Md., on or about October 15, 1920, and transported from the State of Maryland into the State of Georgia, 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 water and salt had been mixed and packed with, and substituted wholly or in part for, the article, and for the further reason that the article was mixed and packed in a manner whereby damage and inferiority were concealed.

Misbranding was alleged for the reason that the article was an imitation of, and offered for sale under the distinctive name of, another article, to wit, butter.

On January 3, 1921, Emanuel A. Wanner, trading as Stricker Bros., having filed his claim to the property, and having executed a good and sufficient bond, in conformity with section 10 of the act, it was ordered by the court that the United States marshal surrender the product to said claimant so that the same could be re-worked by the claimant, upon his stipulation that no part of the butter should be shipped for sale or offered for sale until the same had been re-worked to a condition in keeping with the terms and provisions of the Food and Drugs Act.

E. D. BALL, *Acting Secretary of Agriculture.*

**9119. Misbranding of Antilaiteuse. U. S. \* \* \* v. 108 Packages of Antilaiteuse. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14089 to 14091, inclusive, 14093 to 14105, inclusive. Inv. Nos. 24508 to 24513, inclusive, 25366 to 25373, inclusive, 25375. S. Nos. E-2981 to E-2995, inclusive, E-2997.)**

On December 20, 1920, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 108 packages of Antilaiteuse, at various places in Massachusetts, consigned by Dr. N. A. Sirois, Manchester, N. H., between the dates August 5 and November 29, 1920, alleging that the article had been transported from the State of New Hampshire into the State of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of Epsom salts, about 85 per cent, and ground juniper berries.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements, appearing in the labeling of the article, in regard to the therapeutic and curative effects thereof, (carton, English and French) "Potion Antilaiteuse \* \* \* Remedy For Men and Women To Cleanse and Relieve the body and blood of all poisons and impurities causing all kinds of disorders. \* \* \* Weening, removal of milk from limbs and blood, to prevent miscarriage, diseases of the womb, change of life, dropsy, kidney disease, rheumatism, eclampsia, excessive stoutness, paralysis, piles \* \* \* and poor digestion. \* \* \* It acts by cleaning the kidneys, \* \* \* and the blood," were false and fraudulent in that the article

contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 31, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9120. Adulteration of walnuts. U. S. \* \* \* v. 10 Bags of Walnuts \* \* \*. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 581-C.)**

On November 6, 1920, the United States attorney for the District of Maryland, acting upon a report by the Food and Drug Commissioner of Maryland, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 bags of walnuts, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by J. A. Kirsch & Co., Inc., New York, N. Y., and transported from the State of New York into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it contained an excessive amount of decomposed nuts.

On December 22, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9121. Adulteration of canned pie peaches. U. S. \* \* \* v. 275 Cases, 655 Cases, and 400 Cases of Canned Pie Peaches. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 8653, 8654, 8655. I. S. Nos. 9527-p, 9528-p, 9529-p. S. No. C-781.)**

On December 21, 1917, the United States attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 400 cases, 275 cases, and 655 cases of canned pie peaches, remaining in the original unbroken packages at Chattanooga, Tenn., alleging that the article had been shipped on or about August 21, August 30, and September 12, 1917, by A. J. Evans, Fort Valley, Ga., and transported from the State of Georgia into the State of Tennessee, and charging adulteration in violation of the Food and Drugs Act. The article was variously labeled, "Setter Brand Pie Peaches Packed By A. J. Evans Canning Co. Fort Valley, Ga.," or "Elberta Brand Pie Peaches Packed By Elberta Canning Co. Fort Valley, Georgia."

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

On April 22, 1918, A. J. Evans, Fort Valley, Ga., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant for the purpose of sorting, upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**9122. Adulteration of sugar beet meal. U. S. \* \* \* v. 383 Bags \* \* \* of Sugar Beet Meal. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9290. I. S. No. 15423-r. S. No. E-1106.)**

On or about September 11, 1918, the United States attorney for the Southern District of West Virginia, acting upon a report by the Secretary of Agriculture,

filed in the District Court of the United States for said district a libel for the seizure and condemnation of 383 bags, more or less, of sugar beet meal, at Bluefield, W. Va., alleging that the article had been shipped by the Hottelet Co., Milwaukee, Wis., on or about May 18, 1918, and transported from the State of Wisconsin into the State of West Virginia, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that dirt and sand had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality, and had been substituted in part for the article, and for the further reason that the article consisted in part of a filthy vegetable substance.

On May 9, 1919, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9123. Misbranding of Brou's Injection. U. S. \* \* \* v. 3 Dozen Bottles of \* \* \* Brou's Injection. Default decree of destruction. (F. & D. No. 10445. I. S. No. 16216-r. S. No. E-1464.)**

On May 29, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Brou's Injection, at Jacksonville, Fla., consigned by E. Fougera & Co., New York, N. Y., alleging that the article had been shipped on or about October 19, 1918, and transported from the State of New York into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Brou's Injection E. Fougera & Co. New York."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sulphates and acetates of lead and zinc, opium alkaloids, alcohol, and water.

It was alleged in substance in the libel that the article was misbranded for the reason that the label upon the bottles containing the article and in the booklet accompanying it contained the following statements regarding the curative and therapeutic effects of said article, (bottle) "Hygienic and Preservative Brou's Injection \* \* \*" (French) "Against Runnings or discharges 'Les Ecoulemens' recent or chronic and against 'White Flowers' 'Leucorrhoea,'" (booklet) "Blennorrhagia \* \* \* Blennorrhoea \* \* \* Leucorrhoea \* \* \* or 'White Flowers' 'White Losses,' their treatment \* \* \* Blennorrhagia, Urethral or Gonorrhoea \* \* \* the beginning of Blennorrhagia, \* \* \* have recourse to the use of Brou's Injection \* \* \* treatment par excellence of Blennorrhoea \* \* \* far from producing strictures injections prevent them \* \* \* curing \* \* \* prolonged inflammation of the mucous membranes and its extension to underlying tissues \* \* \* for the cure of all recent and chronic discharges of the urinary organs (Gonorrhoea, Leucorrhoea and Gleet) \* \* \* Brou's Injection \* \* \* a preservative after intercourse with a suspected person," which were false, fraudulent, and misleading in that said article contained no ingredients or combination of ingredients capable of producing the curative and therapeutic effects claimed in said statements above set forth.

On February 3, 1921, no claimant having appeared for the property, judgment was entered finding that the property was subject to condemnation, and it was ordered by the court that the same be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*



**9124. Misbranding of H. G. C. U. S. \* \* \* v. 12 Dozen Bottles of \* \* \*  
H. G. C. Default decree of destruction. (F. & D. No. 10480. I. S. No.  
16219-r. S. No. E-1477.)**

On June 2, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 dozen bottles of H. G. C., at Jacksonville, Fla., consigned on April 1, 1919, by the Acme Chemical Mfg. Co., New Orleans, La., alleging that the article had been shipped on or about April 1, 1919, and transported from the State of Louisiana into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "H. G. C. A Non Poisonous Injection For Gonorrhoea & Gleet \* \* \* Made Only By The Acme Chemical Mfg. Co. Ltd. N. O. La."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of two preparations, a liquid for injection and a powder for internal use. The injection consisted of a dilute aqueous solution of borax and berberine, and the powder consisted of magnesium sulphate.

It was alleged in substance in the libel that the article was misbranded for the reason that the label on the cartons and bottles containing the article, and the circulars accompanying said article, contained the following statements regarding the curative and therapeutic effects thereof, (carton) "H. G. C. A Safe And Non Poisonous Injection For Gonorrhoea and Gleet in either sex. \* \* \* Non Injurious Injection For Gonorrhoea And Gleet For Male And Female," (bottle) "H. G. C. A Non Poisonous Injection For Gonorrhoea & Gleet. Take No Substitutes. H. G. C. Does Not Cause Pain Or Injury. For Male And Female \* \* \*," (circular) "Directions for Using H. G. C. for Gonorrhoea, Gleet, Leucorrhoea or Whites. It is a non-poisonous injection for Gonorrhoea and Gleet, Leucorrhoea or Whites, \* \* \* For Leucorrhoea and Whites in Females, \* \* \* H. G. C. This well-known preparation for the treatment of Gonorrhoea, Gleet and Leucorrhoea \* \* \* Directions for Using H. G. C. For Catarrhal Conditions. Coryza, Nasal Catarrh, Cold in the Head, Chronic Catarrh of the Head. \* \* \* Conjunctivitis, Catarrh of the Mucous Membrane Covering the Inner Surface of the Eyelids. \* \* \* Cystitis, Inflammation of the Bladder. \* \* \* Haemorrhoids, Piles. \* \* \* For ulcers and open sores it has antiseptic and healing qualities. \* \* \*," which were false, fraudulent, and misleading in that said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in said statements above set forth.

On February 3, 1921, no claimant having appeared for the property, judgment was entered finding that the product was subject to condemnation, and it was ordered by the court that the same be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9125. Misbranding of Planters Golden Crown Special. U. S. \* \* \* v.  
15½ Dozen Bottles of \* \* \* Planters Golden Crown Special. De-  
fault decree of destruction. (F. & D. Nos. 10508, 10509. I. S. Nos.  
16213-r, 16220-r. S. Nos. E-1485, E-1486.)**

On June 9, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15½ dozen bottles of Planters Golden Crown Special, at Jacksonville, Fla., consigned by the Planter Medicine Co., Baltimore, Md.,

alleging that the article had been shipped on or about October 9, 1918, January 18 and April 22, 1919, and transported from the State of Maryland into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba balsam, essential oils, including oil of cassia, alcohol, and water. No ethyl nitrite was present.

It was alleged in substance in the libel that the article was misbranded in that the label on the bottles contained the statement, "5 Minims Ethyl Nitrite To The Fluid Ounce," whereas it contained no ethyl nitrite. It was further alleged in substance that the article was misbranded for the reason that the label upon the cartons and bottles containing it, and in the circular accompanying said article, contained the following statements regarding the curative and therapeutic effects of said article, (carton) "Planters Golden Crown Special \* \* \* For Gonorrhoea Gleet And Diseases of a Similar Character; Also to Be Used As a Preventative of Stricture," (bottle) "Planters Golden Crown Special \* \* \* for Gonorrhoea, Gleet \* \* \*," (circular) "Planters Golden Crown Special A Safe And Reliable Medicine For Gonorrhoea, Gleet And Diseases Of A Similar Character Planters Golden Crown Special is a fine medicine for Kidney Troubles, Stone in the Bladder and all aching and painful sensations in the small of the back. \* \* \* It Will prevent stricture," which were false, fraudulent, and misleading in that said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in said statements above set forth.

On February 3, 1921, no claimant having appeared for the property, judgment was entered finding that the product was subject to condemnation, and it was ordered by the court that the same be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9126. Adulteration of tomato pulp. U. S. \* \* \* v. 149 Cases of Canned Tomato Pulp. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12282. I. S. Nos. 9249-r, 9250-r. S. No. C-1829.)

On March 10, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 149 cases of canned tomato pulp, at St. Louis, Mo., alleging that the article had been shipped on November 19, 1919, by the Central States Canning Co., Indianapolis, Ind., and transported from the State of Indiana into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled, "Elk Brand Concentrated Strained Tomatoes," and the remainder was labeled, "White Ribbon Fancy Heavy Body Tomato Pulp."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding was alleged for the reason that the labeling was false and misleading and deceived and misled the purchaser into the belief that the product consisted wholly of tomatoes, whereas it contained filthy, decomposed, and putrid vegetable matter, and for the further reason that it was an imitation of, and was sold under the distinctive name of, another article.

On January 27, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9127. Misbranding of O. S. Hog Remedy. U. S. \* \* \* v. 87 Cases \* \* \* of O. S. Hog Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13396. I. S. No. 9545-r. S. No. C-2651.)**

On August 19, 1920, the United States attorney for the Middle District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 87 cases of O. S. Hog Remedy, remaining in the original unbroken packages at Montgomery, Ala., alleging that the article had been shipped by the O. S. Hog Remedy Co., Lufkin, Tex., on May 17, 1920, and transported from the State of Texas into the State of Alabama, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled: (Carton) "O. S. Hog Remedy \* \* \* A Guaranteed treatment for hog cholera if used regularly according to directions on package, also destroys worms, lice, scab mites and many other kinds of parasites. \* \* \* If cholera is Near feed Twice a week."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture containing sodium sulphate, zinc sulphocarbonate, arsenic trioxid, sodium chlorid, sulphur, charcoal, ground oil cake, and alizarin coloring.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements printed on the cartons were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it on the carton.

On January 7, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the property be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9128. Adulteration of tomato catsup. U. S. \* \* \* v. 499 Cases \* \* \* of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14132. I. S. No. 6361-t. S. No. E-3026.)**

On January 3, 1921, 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 for the seizure and condemnation of 499 cases of tomato catsup, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about December 7, 1920, by the Cruikshank Bros. Co., Pittsburgh, Pa., and transported from the State of Pennsylvania into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "White Rose Tomato Ketchup."

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

On January 20, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9129. Adulteration and misbranding of oil of birch. U. S. \* \* \* v. 1 Can \* \* \* of a Product Purporting to be Oil of Birch. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14159. I. S. No. 6898-t. S. No. E-3041.)**

On January 8, 1921, 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 for the seizure and condemnation of one can containing 42 pounds and 13 ounces of a product

purporting to be oil of birch, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about December 21, 1920, by the Cold Springs Wintergreen Distillery, Mountain City, Tenn., and transported from the State of Tennessee into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article, considered as a drug, was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the Pharmacopœial standard of strength, quality, and purity, as determined by the test laid down in said Pharmacopœia, official at the time of the investigation, and its own standard of strength, quality, and purity was not plainly stated upon its container. Adulteration of the article, considered as a food, was alleged for the reason that a substance, to wit, synthetic methyl salicylate, had been mixed and packed with, and substituted in part for, the article.

Misbranding was alleged for the reason that the article was an imitation of, and offered for sale under the distinctive name of, another article.

On January 27, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9130. Adulteration and misbranding of East India santal oil. U. S. \* \* \* v. 1,300 5-Minim and 5,700 10-Minim \* \* \* Capsules of an Article Purporting to be East India Santal Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9634. I. S. No. 6169-r. S. No. C-1044.)**

On or about January 20, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,300 5-minim and 5,700 10-minim capsules of an article purporting to be East India santal oil, at Cincinnati, Ohio, consigned on July 16 and September 2, 1918, by the Evans Drug Mfg. Co., Greensburg, Pa., alleging that the article had been shipped and transported from the State of Pennsylvania into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. Part of the boxes containing the articles were labeled in part, "100 Soluble Elastic Capsules Guaranteed Weather-Proof and Non-Collapsible Santal Oil (East India) 5 Min." The remainder were labeled in part, "100 Soluble Elastic Capsules Guaranteed Weather-Proof and Non-Collapsible Santal Oil (East India) 10 Min." Some of the packages were labeled on the outside, "100 E. I. Santal Oil, 5 Min." The remainder were labeled on the outside, "100 E. I. Santal Oil, 10 Min."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the two sizes of capsules averaged 4.5 minims and 8.63 minims, respectively, being short in volume 10 per cent and 13 per cent, respectively, and consisted of a mixture containing approximately 60 per cent of cottonseed oil.

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for pure East India santal oil, which the article purported to be.

Misbranding was alleged for the reason that the article was an imitation of, and offered for sale under the [distinctive] name of, another article, to wit, East India oil of santal, when, in truth and in fact, said drug was a product

consisting in part of East India oil of santal and largely of cottonseed oil, and for the further reason that the article was labeled, "Capsules \* \* \* Santal Oil \* \* \* 5 Min." and "10 Min.," respectively, when, in truth and in fact, it was a product containing less than that amount.

On April 15, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9131. Adulteration of milk. U. S. \* \* \* v. Mrs. Margaret Albers. Plea of nolo contendere to count 1 of the indictment. Fine, \$75 and costs. Count 2 dismissed. (F. & D. No. 10337. I. S. Nos. 9374-p, 10057-p.)**

On October 9, 1919, the Grand Jurors of the United States within and for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentation by the United States attorney for said district, returned in the District Court of the United States for the district aforesaid an indictment in 2 counts against Mrs. Margaret Albers, Aviston, Ill., charging shipment by said defendant, in violation of the Food and Drugs Act, on September 18, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated. The article was labeled in part, "From Mrs. Wm. Albers, Aviston, Ill."

Analyses of samples of the article by the Bureau of Chemistry of this department showed the presence of added water and of insoluble foreign matter. The article was very dirty.

Adulteration of the article was charged in the indictment for the reason that a substance, to wit, added water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for milk, which the article purported to be, and for the further reason that it consisted in whole or in part of a filthy animal substance.

On October 20, 1920, the defendant entered a plea of nolo contendere to count 1 of the indictment, and the court imposed a fine of \$75 and costs. Count 2 of the indictment was dismissed.

E. D. BALL, *Acting Secretary of Agriculture.*

**9132. Adulteration and misbranding of Wood's Special Concentrated Sweetener. U. S. \* \* \* v. 4 1-Pound Cans of Wood's Special Concentrated Sweetener. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13004. I. S. No. 9349-r. S. No. C-2011.)**

On July 8, 1920, the United States attorney for the Middle District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of an article labeled in part, "Wood's Special Concentrated Sweetener 500—500 Soluble in Cold Water. Not sold as a drug. W. B. Wood Manufacturing Company, St. Louis, Mo. 1 Pound net," remaining in the original unbroken packages at Troy, Ala., alleging that the article had been shipped on or about June 25, 1920, by the W. B. Wood Mfg. Co., St. Louis, Mo., and transported from the State of Missouri into the State of Alabama, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture of sugar, about 32 per cent, and sodium salt of saccharin.

Adulteration of the article was alleged in the libel for the reason that an imitation sweetener had been mixed and packed with, and substituted wholly or in part for, the article, and for the further reason that it contained an added deleterious ingredient, to wit, saccharin, which might render the article injurious to health.

Misbranding was alleged for the reason that the statement on the label of the article, "Special Concentrated Sweetener 500," was false and misleading and deceived and misled the purchaser in that it represented the article as being five hundred times sweeter than sugar, when it was not. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On January 7, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9133. Misbranding of Madame Dean Female Pills (Single Strength). U. S. \* \* \* v. 12 Packages of \* \* \* Madame Dean Female Pills (Single Strength). Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13480. I. S. No. 10217-t. S. No. W-693.)**

On or about September 3, 1920, 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 for the seizure and condemnation of 12 packages of drugs, labeled "Madame Dean Female Pills (Single Strength)," consigned by Martin Rudy, Lancaster, Pa., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about March 1, 1920, and transported from the State of Pennsylvania into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of quinine, aloes, ferrous sulphate, hydrastis, ginger, and cornstarch.

It was alleged in substance in the libel that the article was misbranded for the reason that the labeling thereof bore the following statements regarding the curative and therapeutic effects of the said article, (box and wrapper) "Female Pills \* \* \* give relief in Female Disorders of the menstrual functions. \* \* \* for Painful, Irregular and Scanty Menstruation," (booklet accompanying article) "\* \* \* irregular, prolonged, or suppressed menstruation. \* \* \* Female Pills afford relief for these ailments, \* \* \* a remedy intended solely for the relief of Amenorrhoea, Dysmenorrhoea, scanty and irregular menstruation, and other derangements of the reproductive system, \* \* \* especially valuable in the functional changes \* \* \* of the menopause or change of life. \* \* \* act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation, and assist in re-establishing or restoring, the menstrual or monthly periods. \* \* \* strengthen and build up the uterine function," all of which said statements were false and fraudulent in that the pills contained no ingredient or combination of ingredients capable of producing the effects claimed, and said pills were not a remedy for any one of the troubles mentioned, and had no curative or therapeutic effects whatever on any one of the diseases mentioned.

On October 8, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9134. Misbranding of Hooper's Female Pills. U. S. \* \* \* v. 53 Packages (Red Seal), 3 Dozen Packages (Green Seal), and 24 Dozen Packages of \* \* \* Hooper's Female Pills \* \* \*. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13546, 13553. I. S. Nos. 8416-t, 8417-t, 8228-t. S. Nos. E-2660, E-2542.)

On August 27 and 30, 1920, 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 libels for the seizure and condemnation of 53 packages (Red Seal), 3 dozen packages (Green Seal), and 24 dozen packages, more or less, of Hooper's Female Pills, consigned on or about July 27, June 23, and July 23, 1920, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Horace B. Taylor Co., Philadelphia, Pa., and transported from the State of Pennsylvania into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes and ferrous sulphate.

Misbranding of the article was alleged in the libels for the reason that the following statements, regarding the curative and therapeutic effect of said article, (circular and wrapper) "**\* \* \* Female Pills \* \* \* a safe and sovereign remedy in female complaints, \* \* \* an Emmenagogue in producing Menstruation. \* \* \* for the removal of irregularities. \* \* \* are used \* \* \* (except in cases of pregnancy) \* \* \***" (wrapper) "**\* \* \* opening obstructions of the vessels \* \* \* cure of disorders peculiarly incident to the female sex, \* \* \* remedy against those general complaints the Female Sex are subject to; \* \* \* cleanse, purify, and cause a free circulation of the blood, \* \* \* open these obstructions which Virgins are liable to, \* \* \* best \* \* \* for \* \* \* the irregularities, \* \* \* for the palpitation of the heart, giddiness, loathing of food, bad digestion, pains of the stomach, heating of the arteries of the neck, short breath \* \* \* scurvy \* \* \* should be taken by all women at age of forty-five \* \* \* to prevent those disorders that usually attend them at that time. \* \* \* sovereign remedy \* \* \* in all hypochondriac, hysterick, or vapourish disorders, \* \* \* strengthen the nerves, \* \* \* for \* \* \* obstruction of \* \* \* courses, \* \* \* continue their use until the end is answered \* \* \***," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 29 and October 4, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9135. Adulteration of frozen egg pulp. U. S. \* \* \* v. 425 Cans of Frozen Egg Pulp \* \* \*. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13830. I. S. No. 8950-t. S. No. E-2819.)

On October 29, 1920, 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 a libel for the seizure and condemnation of 425 cans, more or less, of frozen egg pulp, consigned on or about July 31, 1920, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Skinner Packing Co., Omaha, Nebr., and transported from the State of Nebraska into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act.

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

On December 18, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9136. Adulteration and misbranding of wheat middlings. U. S. \* \* \* v. 966 Bags of Wheat Middlings \* \* \*. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 13832. I. S. No. 13601-t. S. No. E-2832.)**

On November 1, 1920, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on January 3, 1921, an amendment to said libel, praying the seizure and condemnation of 966 bags of wheat middlings, remaining in the original unbroken packages at Atlanta, Ga., consigned by the Gateway Milling Co., Kansas City, Mo., alleging that the article had been shipped on or about September 8, 1919, and transported from the State of Missouri into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel, as amended, for the reason that rice hulls and a substance low in protein and fat and containing excessive crude fiber had been mixed and packed with, and substituted wholly and in part for, the article described in the label on and attached to the bags containing the product, and for the further reason that said article was mixed in a manner whereby damage and inferiority were concealed.

Misbranding was alleged in substance for the reason that the statements borne on the labels to the effect, "Wheat middlings with ground screenings, not exceeding mill run \* \* \* Protein \* \* \* 15 per cent \* \* \* fat \* \* \* 4 per cent \* \* \* crude fibre \* \* \* 7 per cent," were false and misleading and deceived and misled the purchaser in that the protein contained therein was less than 15 per cent, the fat less than 4 per cent, and the crude fiber more than 7 per cent. Misbranding was alleged in substance for the further reason that the article was an imitation of, and offered for sale under the distinctive name of, another article.

On February 2, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the same be sold by the United States marshal, after the removal of the tags from the bags, and that, in the event that such sale could not be effected for want of a bidder, the product be destroyed.

E. D. BALL, *Acting Secretary of Agriculture.*

**9137. Adulteration and misbranding of Glory Sugron Artificial Sweetener. U. S. \* \* \* v. 15 Bottles of \* \* \* Glory Sugron Artificial Sweetener \* \* \*. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13837. Inv. No. 25843. S. No. E-2846.)**

On November 3, 1920, 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 a libel for the seizure and condemnation of 15 bottles, more or less, of an article, labeled in part "Glory Sugron Artificial Sweetener Specifically for medicinal use Guaranteed to be absolutely pure and harmless Empire Laboratory Co. \* \* \* Chicago, Ill.," consigned on or about July 28, 1920, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Empire Laboratory Co., Chicago, Ill., and transported from the State of Illinois into the State of Maryland,



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 saccharin had been substituted wholly or in part for the article; for the further reason that it was mixed in a manner whereby damage or inferiority was concealed; and for the further reason that it contained an added poisonous or deleterious ingredient, to wit, saccharin, which might render the article injurious to health.

Misbranding was alleged for the reason that the statement on the label, "Glory Sugron Artificial Sweetener Specifically for medicinal use Guaranteed to be absolutely pure and harmless \* \* \* 2 fluid ounces equals 15 lbs. of sugar," was false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On December 18, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9138. Adulteration of nonalcoholic beverage. U. S. \* \* \* v. 3 Kegs \* \* \* of Nonalcoholic Beverage \* \* \*. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13857. I. S. Nos. 8433-t, 8434-t, 8435-t. S. No. E-2864.)

On November 12, 1920, 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 a libel for the seizure and condemnation of 3 kegs of nonalcoholic beverage, labeled in part "Non-Alcoholic Artificial Flavor and Color" (one keg each of "Port Hot Punch Flavor," "Roman Punch Flavor," and "Champaign Cordial Flavor"), consigned on or about September 20, 1920, remaining in the original packages at Baltimore, Md., alleging that the article had been shipped by the Red Cross Mfg. Co., St. Louis, Mo., and transported from the State of Missouri into the State of Maryland, 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 product which had no food value, to wit, saccharin, had been mixed and packed with, and substituted in part for, the article, and for the further reason that the article contained an added poisonous or deleterious ingredient, to wit, saccharin, which might render it injurious to health.

On December 21, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9139. Misbranding of Donaldson's Wonderful New Life Remedy. U. S. \* \* \* v. 19 Bottles of \* \* \* Donaldson's Wonderful New Life Remedy \* \* \*. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13878. I. S. No. 8264-t. S. No. E-2880.)

On November 19, 1920, 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 a libel for the seizure and condemnation of 19 bottles of Donaldson's Wonderful New Life Remedy, consigned on or about October 8, 1920, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the T. B. Donaldson Medicine Co., Philadelphia, Pa., and transported from the State of Penn-

sylvania into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an alkaline solution containing, essentially, magnesium sulphate, senna, plant extractives, alcohol, and small amounts of volatile oils.

Misbranding of the article was alleged in substance in the label for the reason that the following statements, appearing on the bottle label and carton and in the circulars, regarding the curative and therapeutic effect of the article, (bottle label) " \* \* \* Wonderful New Life Remedy \* \* \* For All Blood Diseases Stomach And Liver Difficulties Such as Dyspepsia, Biliousness, Catarrh, Liver Complaints, Rheumatism, Enlargement of Liver, Diseases of the Kidneys, Chronic Constipation and Nervous Debility. \* \* \* it is a genuine blood cleanser, stomach and liver regulator. It is one of the greatest kidney medicines in the world. It clears the urinal organs and strengthens the bladder, gives vitality, vigor and vim to manhood," (carton) " \* \* \* Is one of the greatest kidney remedies on the face of the earth. It is indeed a New Life remedy, extracted from nature, from herbs which contains all the life and nutrition of food that is necessary. The large and small intestines are kept clean, and in fine condition, also the urinary organs are kept free and clear; from berries, which relieves inward pains, takes away bloating, swelling and dropsical condition. Blossoms and leaves to keep the \* \* \* digestion in motion, and proper condition to excavate the food. Barks and seeds to strengthen the system, takes uric acid out of the blood, therefore relieves rheumatism, regulates the liver and commands the heart to its proper motion, quiets the nerves, clears the airial passages therefore, swimming in the head, dizziness, uneasiness, delirium conditions, \* \* \* will spur you up; \* \* \* for the lungs and phlegmatic conditions of the system \* \* \* takes gastric juice and superfluous of sour mass of acid oxygen from the stomache, therefore, it relieves indigestion, \* \* \* A Splendid Tonic And System Purifier For all Blood Diseases, Stomach and Liver Difficulties \* \* \* Dyspepsia, Billiousness, Scrofula, Erysipelas, Catarrh, Liver Complaints, Rheumatism, Enlargement of Liver, Diseases of the Kidneys, Chronic Constipation and Nervous Debility. \* \* \*," (first circular) " \* \* \* to have good health you should take \* \* \* Wonderful New Life Remedy The Germ Exterminator As an unparalleled Medicine for the Blood! It \* \* \* stands as a pier for all diseases of the system; emanating from the vital organs, such as Stomach and Liver Difficulties, Dyspepsia, Biliousness, Catarrh, Liver Complaint, Rheumatism, Enlargement of the Liver Diseases of the Kidneys, Chronic Constipation and Nervous Debility, \* \* \* a Genuine Blood Cleanser, Stomach and Liver Regulator. It is one of the greatest Kidney Medicines in the world. It clears the urinal organs and strengthens the bladder, gives vitality, vim and vigor to manhood. \* \* \* 100,000 People Relieved \* \* \*," (second circular) " \* \* \* Dyspepsia, Biliousness Catarrh, Liver complaints, Rheumatism, Enlargement of the Liver, and all diseases of the kidneys need not be feared any more, for this wonderful New Life Extract will eliminate all disease germs and makes the whole system sound, strong and healthy. \* \* \* the most powerful Tonic in the world, \* \* \* beneficial action upon the human system. \* \* \* to heal our afflictions. \* \* \* New Life digests the food, tones up the Liver and Kidneys, \* \* \* builds and tones up the system so that all dangerous Bacteria is rendered harmless and ineffective, but if you do not take this wonderful remedy and let your system get weak and run down, you may at any time be attacked by the Bacteria, and the result may be Typhoid Fever, Pneumonia, Bright's Disease of the Kidneys, Nervous Prostration, or

many other diseases \* \* \* will often strengthen the system so that it can throw off Disease Bacteria that has been inherited from parents, or received by infection from other persons, \* \* \* to relieve Rheumatism, Stomach Trouble, Indigestion, Heaviness or Bloating of the Stomach, Wind on the Stomach, Gastritis, Knotting, Twisting or Rolling Misplacement of the Large or Small Intestines, which might cause Appendicitis, and has often caused Colic, Pains and Cramps, and sometimes even death. It also removes Stomach Worms, in children, Tape Worms, Pin Worms, Seat Worms, which other medicines practically fail to budge, and rapidly makes better Itching and Bleeding Piles. It starts the blood to active circulation, and thereby removes Yellow Jaundice and Liver Spots. It is the greatest Kidney medicine on earth, and drives out all the injurious germs and leaves the Kidneys, Bladder and all the Urinary Organs free and clear, thus gives strength to the weak back, energy to the tired and nervous, vitality to the worn out and incapacitated and power to those run down by over-indulgence. \* \* \* Many people who were given up as incurable by doctors and turned down by hospitals have been wonderfully benefitted and made young \* \* \*," were false and fraudulent since the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On December 23, 1920, 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,

E. D. BALL, *Acting Secretary of Agriculture.*

**9140. Misbranding of Pabst's Okay Specific. U. S. \* \* \* v. 2 Dozen Bottles \* \* \* of \* \* \* Pabst's Okay Specific. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10186. I. S. No. 6193-r. S. No. C-1194.)**

On or about April 30, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 dozen bottles, more or less, of Pabst's Okay Specific, at Cincinnati, Ohio, consigned by the Pabst Chemical Co., Chicago, Ill., on March 7, 1919, alleging that the article had been shipped and transported from the State of Illinois into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Pabst's O. K. Okay Specific \* \* \* Gonorrhœa, Gleet, Urethritis and Chronic Mucous Discharges. \* \* \* Pabst Chemical Co., Chicago, Ill;" (wrapper) "Pabst's O. K. Okay Specific \* \* \* Gonorrhœa, Gleet, Urethritis and Chronic Mucous Discharges. \* \* \* Causes No Stricture. \* \* \* Absolutely Safe!"

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of balsam of copaiba, volatile oils, including oil of peppermint, laxative plant extractives, buchu, sugar, alcohol, and water.

It was alleged in substance in the libel that the article was misbranded for the reason that its package and label bore and contained the above-quoted statements, regarding the curative or therapeutic effect of said article, which were false and fraudulent in that said article contained no ingredients or combination of ingredients capable of producing the therapeutic effects claimed in said statements, and in that said product was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the aforesaid statements in and upon said packages.

On September 19, 1919, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9141. Misbranding of Planters Golden Crown Special. U. S. \* \* \* v. 9 Dozen Bottles of \* \* \* Planters Golden Crown Special. Default decree of destruction. (F. & D. No. 10640. I. S. No. 16558-r. S. No. E-1564.)**

On June 20, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on September 29, 1919, an amendment to the libel, for the seizure and condemnation of 9 dozen bottles of Planters Golden Crown Special, at Jacksonville, Fla., consigned by the Planter Medicine Co., Baltimore, Md., alleging that the article had been shipped on or about May 27, 1919, and transported from the State of Maryland into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled, "Planters Golden Crown Special Contains \* \* \* 48% Alcohol \* \* \* Planter Medicine Company Baltimore, Md."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba balsam, essential oils, including oil of cassia, water, and 35.7 per cent by volume of alcohol.

It was alleged in substance in the libel, as amended, that the article was misbranded for the reason that the label on the bottles contained the statement, "5 Minims Ethyl Nitrite To The Fluid Ounce," whereas it contained no ethyl nitrite, and for the further reason that the bottle label and carton label, nor either of them, bore a correct statement of the quantity or proportion of the alcohol contained therein. It was further alleged in substance that the article was misbranded for the reason that the label upon the cartons and bottles containing the article and in the circulars accompanying it contained the following statements, regarding the curative and therapeutic effect of said article, (carton) "Planters Golden Crown Special \* \* \* For Gonorrhoea Gleet And Diseases of a Similar Character; Also to Be Used As a Preventative of Stricture," (bottle) "Planters Golden Crown Special \* \* \* For Gonorrhoea, Gleet \* \* \*," (circular) "Planters Golden Crown Special A Safe And Reliable Medicine For Gonorrhoea, Gleet And Diseases Of A Similar Character Planters Golden Crown Special is a fine medicine for Kidney Troubles, Stone in the Bladder and all aching and painful sensations in the small of the back. \* \* \* It Will prevent stricture," which were false, fraudulent, and misleading in that said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effect claimed in said statements above set forth.

On February 3, 1921, no claimant having appeared for the property, judgment was entered finding that the product was subject to condemnation, and it was ordered by the court that the same be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9142. Adulteration and misbranding of Consumers whole egg powder with cereal for baking and cooking. U. S. \* \* \* v. 300 Cans \* \* \* of a Product Labeled "Consumers Whole Egg Powder With Cereal \* \* \*," Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11278. I. S. No. 7941-r. S. No. C-1443.)**

On or about September 25, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the

seizure and condemnation of 300 cans of Consumers whole egg powder with cereal for baking and cooking, at Dayton, Ohio, consigned by the Consumers Supply Co., Portland, Mich., on November 22, 1918, alleging that the article had been shipped and transported from the State of Michigan into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: (Cans) “\* \* \* Whole Egg Powder With Cereal \* \* \* more economical, more convenient and better \* \* \* than fresh hens’ eggs. \* \* \* This package contains twenty-five spoonfuls, or enough to take the place of twenty-five fresh hens’ eggs;” (circular) “Whole Egg Powder \* \* \* you can save all the eggs you would ordinarily use in cooking and baking \* \* \* brings eggs down to 12¢ per dozen \* \* \* Consumer’s Whole Egg Powder may be used with as good or better results than can be obtained by the use of fresh hen’s eggs \* \* \* each teaspoonful can be used in place of one fresh egg in your baking and cooking.”

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of cornstarch, egg albumen, and a small amount of calcium and aluminum phosphates, and that it was artificially colored with tartrazine.

Adulteration of the article was alleged in the libel for the reason that starch had been substituted wholly or in part for an article purporting to be “Whole egg powder made from strictly fresh eggs” in the circular, and “Whole egg powder with cereal” on the label, thereby causing its strength or purity to fall below the professed standard or quality under which it was sold, and for the further reason that said product was artificially colored in a manner whereby inferiority was concealed.

Misbranding was alleged in substance for the reason that the above-quoted statements appearing on the label and in the circular accompanying the article, not corrected by the qualifying statements inconspicuously printed on the package, “Artificially Colored The contents of this package contain powdered yolk of fresh eggs, albumen corn starch and phosphate,” were false and misleading and deceived and misled the purchaser, and for the further reason that said article was sold and offered for sale under the distinctive name of another article.

On May 18, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9143. Misbranding of Gray’s Invaluable Ointment. U. S. \* \* \* v. 24 Boxes \* \* \* of Gray’s Invaluable Ointment. Product ordered released on bond and cause dismissed. (F. & D. No. 11299. I. S. No. 9117-r. S. No. C-1483.)**

On September 25, 1919, 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 for the seizure and condemnation of 24 boxes, more or less, of Gray’s Invaluable Ointment, at Chicago, Ill., alleging that the article had been shipped on August 8, 1919, by W. F. Gray & Co., Nashville, Tenn., and transported from the State of Tennessee into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a saponifiable fat, linseed oil, beeswax, turpentine, and lead acetate and oxid.

It was alleged in substance in the libel that the article was misbranded for the reason that the following statements regarding the curative or therapeutic effect thereof, appearing upon the carton containing the article and in the circular accompanying it, to wit, (carton) “\* \* \* For Burns, Scalds, Rheumatism, Tie-Doloreux, Poisonous Bites of Spiders, \* \* \* or from having come in contact with Poisonous Plants; Broken Breasts, Sore Nipples and Carbuncles, \* \* \* Fistula \* \* \* Injured Spine, Swellings of all kinds, \* \* \* Sore Throat, \* \* \*,” (circular) “For the relief of \* \* \* Ulcers of long or short standing; \* \* \* Scrofulous and other Tumors, including White Swellings, \* \* \* Old or Fresh Wounds, Gunshot Wounds, \* \* \* Swellings and inflammations of all kinds; Rheumatic and other Pains; \* \* \* Scald Head, Tetter on the head or any other part of the body; \* \* \* Carbuncles, Cancerous Affections, Gangrene, Eruptions of all kinds; \* \* \* Dog, Snake, Spider, and other Poisonous Bites; Broken Breasts, Sore Nipples, \* \* \* Injured Spine; Sore Eyes, Swellings of all kinds; \* \* \* Sore Throat; \* \* \* Pleurisy and Pneumonia, \* \* \* Splint, Wind Galls, \* \* \* Fistula, \* \* \* In early stages of inflammatory Rheumatism and Soreness about the Breast, \* \* \* this Ointment stands unrivalled. \* \* \* in the course of two or three hours, the system is thrown into a gentle perspiration, and all pains or soreness is rapidly removed, \* \* \*,” (similar statements in German and Spanish) were false and fraudulent in that the same falsely and fraudulently represented to purchasers thereof, and created in the minds of such purchasers, the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents or combinations of ingredients effective, among other things, as a remedy for the various diseases, ailments, and affections mentioned upon said carton and in said circular, whereas, in truth and in fact, it was not.

On October 19, 1920, the said W. F. Gray & Co. having appeared as claimant for the property, and it appearing to the court that said claimant had prepared an amended circular and advertising matter to be used in lieu of the circular and advertising matter complained of in this action, which said amended circular and advertising matter had been filed with the Solicitor of the Department of Agriculture, and it further appearing that said claimant company had agreed that the goods would not thereafter be sold or offered for sale contrary to the provisions of law, and it further appearing that the parties had agreed that the goods might be delivered to said claimant and that said claimant would remove and destroy the brand and advertising matter complained of and would relabel the goods in conformity with law, and said claimant having filed its bond in the sum of \$1,000, in conformity with section 10 of the act, for the prompt and faithful performance of the matters agreed to by it, it was ordered by the court that the property be delivered to said claimant, and that the cause be dismissed upon the payment of all the costs of the proceedings by the said claimant.

E. D. BALL, *Acting Secretary of Agriculture.*

**9144. Misbranding of Bourbon Poultry Remedy. U. S. \* \* \* v. 7 \* \* \***  
**Bottles, 98 \* \* \* Bottles, 29 Bottles, 3 Dozen Bottles, and 18**  
**Bottles \* \* \* of Bourbon Poultry Remedy. Default decrees of**  
**condemnation, forfeiture, and destruction. (F. & D. Nos. 11381,**  
**11382, 11383, 11419. I. S. Nos. 7173-r, 7174-r, 7175-r, 8334-r, 8335-r, 6421-r.**  
**S. Nos. C-1496, C-1499, C-1505, C-1515.)**

On or about October 2, 4, 7, and 10, 1919, the United States attorney for the Southern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the

seizure and condemnation of 7 bottles, 98 bottles, 29 bottles, 3 dozen bottles, and 18 bottles, more or less, of Bourbon Poultry Remedy, at Arcanum, Cincinnati, Xenia, and Miamisburg, Ohio, consigned by the Bourbon Remedy Co., Lexington, Ky., between May 10, 1918, and August 30, 1919, alleging that the article had been transported from the State of Kentucky into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton, 50-cent and 60-cent sizes) "Save Your Fowls Bourbon Poultry Remedy A Superior Remedy for Cholera, Limberneck, Roup, Gapes, Diarrhoea, and certain other poultry diseases. \* \* \* One Drop down the throat of a 'gapey' chicken destroys the worms and saves the chick's life \* \* \* an efficient medicine for the treatment of Cholera, Limberneck, Roup, Gapes, Blackhead, Diarrhoea and other destructive blood and germ diseases. This remedy goes right down to the very fountain-head of these troubles, destroys the germs, drives out the poison;" (circular, all sizes) "Save Your Fowls Bourbon Poultry Remedy An Excellent Remedy For Gapes—Diarrhoea—Limmerneck—Roup \* \* \* sure cure for gapes.' \* \* \* 'It has cured the gapes \* \* \* ' \* \* \* sure cure for cholera, gapes, roup and limberneck' \* \* \* and to prevent other diseases.' \* \* \* it kept my chickens free from gapes.' \* \* \* Bourbon Poultry Remedy for the prevention and cure of poultry diseases.' \* \* \* sure cure for limberneck and cholera, \* \* \* 'Two doses cured a chicken of gapes for me. I cured a grown hen of cholera in a day and another of roup in two days. \* \* \* Bourbon Poultry Remedy cures.' \* \* \* Had three fine hens take the roup, \* \* \* three days' treatment cured them \* \* \* 'Bourbon Poultry Remedy is a great cure for chicken diseases.' \* \* \* 'We have been using Bourbon Poultry Remedy for two or three years with splendid results for diarrhoea and cholera.' \* \* \* Bourbon Poultry Remedy 'saves the chick's life' \* \* \* A valuable medicine for the treatment of White Diarrhoea, Cholera, Gapes, Roup, Sore Head, Limberneck, Canker, Blood Poison and certain other existing forms of poultry diseases. \* \* \* 'One of my show birds had the worst case of roup I ever saw. \* \* \* Bourbon Poultry Remedy \* \* \* I took a feather, dipped it into the medicine and swabbed out her throat \* \* \* also put a \* \* \* quantity in her soft feed and drinking water, and today she is well and sound \* \* \* I did not use half a bottle to cure her;" (bottle, 50-cent and 60-cent sizes) "Bourbon Poultry Remedy A Superior Remedy for Fowls White Diarrhoea, Gaps, Roup and Other Contagious Diseases \* \* \* To Prevent Diseases \* \* \*;" (bottle and wrapper, quart size) "Remedy for Cholera, Gapes, Diarrhoea, Roup, Limberneck and other infectious diseases."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it was a solution containing essentially aloes, sulphuric acid, and sulphates of iron, copper, and magnesium.

It was alleged in substance in the libels that the article was misbranded for the reason that its package and label bore and contained the above-quoted statements, regarding the curative or therapeutic effect of said article, which were false and fraudulent in that said article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed in said statements upon said cartons and labels and in said circulars, and that said drug was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the aforesaid statements in and upon said packages.

On March 10, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9145. Adulteration and misbranding of canned tomatoes. U. S. \* \* \* v. 450 Cases \* \* \* of Canned Tomatoes. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11940. I. S. No. 9130-r. S. No. C-1718.)**

On February 11, 1920, 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 for the seizure and condemnation of 450 cases, more or less, of canned tomatoes, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on November 26, 1919, by the Chino Canning Co., Chino, Calif., and transported from the State of California into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Standard C-C-C Three C Brand Tomatoes."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained added tomato pulp.

Adulteration of the article was alleged in the libel for the reason that the same had been sold and shipped as Three C Brand tomatoes with tomato juice, whereas other articles, to wit, tomato pulp products, had been substituted in whole or in part for said article, and had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength.

Misbranding was alleged in substance for the reason that the cans containing the article were labeled as follows, "Standard C-C-C Three 'C' Brand Tomatoes With Pure Tomato Juice Packed By Chino Canning Company, Chino, California. Net Contents 1 Lb. 12 Oz.," and the cases containing the cans were labeled as follows, "Two Dozen Two and One Half Cans C-C-C Standard Chino Canning Company," and in addition there appeared upon each of the cans a design of ripe tomatoes, which said statements appearing upon each of the cases and cans were false and fraudulent [misleading] and misled and deceived the purchaser in that said statements purported and represented that the article was Three C Brand tomatoes packed with tomato juice, whereas, in truth and in fact, the said cases and cans contained other articles, to wit, tomato pulp products. Misbranding was alleged for the further reason that the article was an imitation of, and was sold under the distinctive name of, another food product, to wit, Three C Brand tomatoes with tomato juice. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and specifically marked on the outside of the package in terms of weight and measure, and that the labeling aforesaid was false and misleading, and the variation between said label and the quantity of the contents was not a reasonable variation.

On October 11, 1920, the John H. Leslie Co., Chicago, Ill., claimant and consignee of the goods, having admitted all the material allegations in the libel and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of all 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 the article be properly relabeled.

E. D. BALL, *Acting Secretary of Agriculture.*

**9146. Misbranding of T. B. Donaldson's Wonderful New Life Remedy. U. S. \* \* \* v. 140 Bottles \* \* \* T. B. Donaldson's Wonderful New Life Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12168. I. S. No. 15975-r. S. No. E-1977.)**

On or about February 19, 1920, 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 a libel for the seizure and condemnation of 140 bottles of T. B. Donaldson's Wonderful New Life Remedy, remaining unsold in the original unbroken packages at Wilmington, Del., alleging that the article had been shipped by the T. B. Donaldson Medicine Co., Philadelphia, Pa., on or about December 30, 1919, and January 3, 1920, and transported from the State of Pennsylvania into the State of Delaware, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "T. B. Donaldson's Wonderful New Life Remedy \* \* \* For All Blood Diseases Stomach And Liver Difficulties Such as Dyspepsia, Bilioussness, Syphilis, Scrofula, Erysipelas, Catarrh, Liver Complaints, Rheumatism, Enlargement Of Liver, Diseases Of The Kidneys, Chronic Constipation And Nervous Debility. \* \* \* it is a genuine blood cleanser, stomach and liver regulator. It is one of the greatest kidney medicines in the world. It clears the urinal organs and strengthens the bladder, gives vitality, vigor, and vim to manhood;" (circular) "\* \* \* T. B. Donaldson's Wonderful New Life Remedy The Germ Exterminator As an unparalleled Medicine for the Blood! It has stood the test of ages, and now stands as a peer for all diseases of the system; emanating from the vital organs, such as Stomach and Liver Difficulties, Dyspepsia, Bilioussness, Syphilis, Scrofula, Erysipelas, Catarrh, Liver Complaint, Rheumatism, Enlargement of the Liver, Diseases of the Kidneys, Chronic Constipation and Nervous Debility. \* \* \* It is a Genuine Blood Cleanser, Stomach and Liver Regulator. It is one of the greatest Kidney Medicines in the world. It clears the urinal organs and strengthens the bladder, gives vitality, vim and vigor to manhood. \* \* \* 100,000 People Cured \* \* \*"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an alkaline solution containing, essentially, magnesium sulphate, senna, plant extractives, alcohol, and small amounts of volatile oils.

It was alleged in substance in the libel that the article was misbranded for the reason that it contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it by the above-quoted language.

On February 5, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9147. Misbranding of Hooper's Female Pills (Green Seal). U. S. \* \* \* v. 5 Dozen Packages of \* \* \* Hooper's Female Pills (Green Seal). Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13485. I. S. No. 7591-t. S. No. E-2695.)**

On or about September 9, 1920, 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 a libel for the seizure and condemnation of 5 dozen packages of Hooper's Female Pills (Green Seal), remaining unsold in the original unbroken packages at Wilmington, Del., alleging that the article had been shipped by Fore & Co., Philadelphia, Pa., on or about July 20, 1920, and transported from the State of Pennsylvania into the State of Delaware, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Circular) "\* \* \* Female Pills \* \* \* a safe and sovereign remedy in female complaints, \* \* \* an Emmenagogue in producing Menstruation. \* \* \* for the removal of irregularities. \* \* \* are used \* \* \* (except in cases of Pregnancy) \* \* \*;"

(wrapper) " \* \* \* opening obstructions of the vessels \* \* \* cure of disorders peculiarly incident to the Female Sex, \* \* \* remedy against those general complaints the Female Sex are subject to; \* \* \* cleanse, purify, and cause a free circulation of the blood, \* \* \* open those obstructions which Virgins are liable to, \* \* \* best \* \* \* for \* \* \* the irregularities, \* \* \* for the palpitation of the heart, giddiness, loathing of food, bad digestion, pains of the stomach, heating of the arteries of the neck, short breath \* \* \* scurvy \* \* \* should be taken by all women at age of forty-five \* \* \* to prevent those disorders that usually attend them at that time. \* \* \* sovereign remedy \* \* \* in all hypochondriac, hysterick, or vapourish disorders, \* \* \* strengthen the nerves, \* \* \* for \* \* \* obstruction of \* \* \* courses, \* \* \* continue their use until the end is answered \* \* \* "

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes and ferrous sulphate.

Misbranding of the article was alleged in substance in the libel for the reason that it contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it by the above-quoted language.

On February 5, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9148. Misbranding of American Hog Remedy and American Stock Tonic. U. S. \* \* \* v. 20 Packages \* \* \* of American Hog Remedy and 31 Packages \* \* \* of American Stock Tonic. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13529, 13530. Inv. Nos. 26641, 26642, 26502, 26503. S. Nos. C-2432, C-2433, C-2434, C-2435.)**

On August 31, 1920, 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 libels for the seizure and condemnation of 20 packages, more or less, of American Hog Remedy, and 31 packages, more or less, of American Stock Tonic, at Union and Capron, Ill., alleging that the articles had been shipped by the American Remedy Co., Tiffin, Ohio, on December 23 and 31, 1919, and transported from the State of Ohio into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the hog remedy consisted essentially of a mixture of sodium chlorid, ferrous sulphate, iron oxid, magnesium sulphate, sulphur, nux vomica, quassia, American wormseed, charcoal, and peanut shells, and that the stock tonic consisted of a mixture composed essentially of charcoal, peanut shells, sodium chlorid, ferrous sulphate, and small amounts of nux vomica, quassia, American wormseed, brown mustard, and sulphur.

Misbranding of the articles was alleged in substance in the libels for the reason that the following statements, regarding the curative and therapeutic effect of said articles, appearing upon the cartons, to wit, (American Hog Remedy) "A Concentrated Remedy for Swine Recommended especially for Hogs. Purifies the blood, \* \* \* Hogs require entirely distinct compound from other domestic animals. It is absurd to believe that ordinary Stock Remedy will cure and prevent Hog Cholera \* \* \* The required dose for

a hog of any scientific compound, containing the ingredients required to cure and prevent contagion among swine, \* \* \* Directions \* \* \* For Hog Cholera.—As soon as you notice that Hog Cholera has begun on your herd, \* \* \* Give from two to three tablespoonfuls of American Hog Remedy \* \* \* If already diseased increase at once to three or even four tablespoonfuls \* \* \*," (American Stock Tonic) "A valuable remedy in the treatment of diseases peculiar to Horses, Cattle, Sheep and Hogs, such as Coughs, \* \* \* Lung Fever, \* \* \* Founder, \* \* \* Diseases of the Stomach, Kidneys and Urinary Organs and all diseases arising from impure blood. \* \* \* Begin using American Stock Tonic during the early stages of any disease. Follow directions carefully and you will seldom have to call a veterinarian. \* \* \* Keep this product at hand and you can feel reasonably certain that you will not lose any of your live stock from disease. Directions \* \* \* For Hogs: \* \* \* will \* \* \* prevent disease, \* \* \* For Hog Cholera: \* \* \* For Worms: \* \* \* For Heaves In Horses: \* \* \*," were false and fraudulent since the articles were not in whole or in part composed of, and did not contain, ingredients or medicinal agents, or combinations of ingredients, effective as remedies for the various diseases, ailments, and afflictions mentioned upon the cartons as aforesaid.

On November 22, 1920, and March 16, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9149. Misbranding of Prescription 999. U. S. \* \* \* v. 59 Packages of \* \* \* Prescription 999. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13692. I. S. No. 7599-t. S. No. E-2745.)**

On or about September 20, 1920, 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 a libel for the seizure and condemnation of 59 packages of drugs, labeled in part "Prescription 999," remaining unsold in the original unbroken packages at Wilmington, Del., consigned on January 13, 1919, alleging that the article had been shipped by the Combination Remedy Co., Pittsburgh, Pa., and transported from the State of Pennsylvania into the State of Delaware, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, (carton) "For Gonorrhoea Or Gleet \* \* \* The Best Remedy \* \* \* Guaranteed Not To \* \* \* Cause Stricture."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture of fixed and volatile oils, including oils of sandalwood, nutmeg, and copaiba.

Misbranding of the article was alleged in substance in the libel for the reason that it contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it by the above-quoted language.

On February 5, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**3150. Adulteration and misbranding of egg noodles. U. S. \* \* \* v. 60  
Cases \* \* \* of Egg Noodles. Consent decree of condemnation  
and forfeiture. (F. & D. No. 12524. I. S. No. 3456-r. S. No. W-587.)**

On March 23, 1920, the United States attorney for the Southern 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, and on April 7, 1920, an amended libel, for the seizure and condemnation of 60 cases of egg noodles, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the F. A. Martoccio Macaroni Co., Minneapolis, Minn., on or about December 29, 1919, and transported from the State of Minnesota into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Quality Brand Egg Noodles made from semolina and eggs. F. A. Martoccio Macaroni Co., Minneapolis, Minn."

Adulteration of the article was alleged in the libel, as amended, for the reason that a product deficient in eggs had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for egg noodles, which the article purported to be.

Misbranding was alleged for the reason that the statement "Egg Noodles" was false and misleading and deceived and misled the purchaser when applied to a product deficient in eggs, and for the further reason that the article was an imitation of, and sold under the distinctive name of, another article.

On July 19, 1920, the F. A. Martoccio Macaroni Co., Minneapolis, Minn., having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be distributed to various charitable institutions, said claimant assenting thereto.

E. D. BALL, *Acting Secretary of Agriculture.*

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# United States Department of Agriculture,

## BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

### SERVICE AND REGULATORY ANNOUNCEMENTS.

#### SUPPLEMENT.

N. J. 9151-9200.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., July 12, 1921.]

#### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**9151. Misbranding of The Texas Wonder. U. S. \* \* \* v. 34 Bottles of The Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12583. I. S. No. 9530-r. S. No. C-1888.)**

On April 21, 1920, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 34 bottles of The Texas Wonder, remaining in the original unbroken packages at Natchez, Miss., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., on or about January 15, 1920, and transported from the State of Missouri into the State of Mississippi, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "The Texas Wonder \* \* \* E. W. Hall, Sole Manufacturer, \* \* \* St. Louis, Mo.;" (carton) "\* \* \* A Remedy For Kidney and Bladder Troubles Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children. \* \* \*;" (circular) "In cases of Gravel and Rheumatic Troubles it should be taken every night in 25-drop doses until relieved."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements, regarding the curative and therapeutic effects thereof, contained in the cartons and circular inclosed in said cartons, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed in said statements.

On November 8, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

9152. Misbranding of Gauvin's Cough Syrup. U. S. \* \* \* v. 48 Bottles and 33 Bottles of \* \* \* Gauvin's Cough Syrup. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 12756, 12757. I. S. Nos. 18217-r, 481-r. S. Nos. E-2270, E-2271.)

On or about June 3 and July 22, 1920, respectively, the United States attorney for the District of Vermont, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels, and on or about July 15, 1920, an amended libel in one of the cases, praying the seizure and condemnation of 48 bottles and 33 bottles of Gauvin's Cough Syrup, remaining unsold in the original unbroken packages at Island Pond and Burlington, Vt., respectively, consigned by J. A. E. Gauvin, Lowell, Mass., alleging that the article had been shipped on or about September 10, 1919, and August 23, 1917, respectively, and transported from the State of Massachusetts into the State of Vermont, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of the extractives of wild cherry bark and spruce gum, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the packages bore certain statements regarding the curative or therapeutic effects thereof, as follows, (shipment of September 10, 1919) (bottle) " \* \* \* For \* \* \* 'La Grippe,' Whooping-Cough, & all affections of the Throat & Lungs," (carton, English and French) "Recommended for \* \* \* 'La Grippe,' Whooping Cough and all Throat and Pulmonary Diseases. \* \* \* A safe and active Remedy for all Diseases of the Respiratory Organs: \* \* \* La Grippe, Whooping-Cough and all Throat and Lung Diseases," (circular) " \* \* \* Successfully used in all affections of the Throat, Bronchi and Lungs. \* \* \* especially indicated in the treatment of all cases of Coughs, Colds, Catarrh, Asthma, Whooping-Cough, Influenza and in the first stages of Consumption. \* \* \* Tuberculosis \* \* \* ailments of the Chest; \* \* \* Spasmodic Coughs, \* \* \*," (French) " \* \* \* used against all affections of the throat, bronchi and lungs \* \* \* Gauvin Cough Syrup is fully indicated for treatment of the most serious cases of colds, bronchitis, the most obstinate catarrhs, asthma, whooping cough, grippe, hoarseness, influenza and the first stages of consumption \* \* \* tuberculosis and \* \* \* epidemic grippe \* \* \* diseases of the chest \* \* \* gastric disorders," (shipment of August 23, 1917) (bottle) " \* \* \* For \* \* \* 'La Grippe,' Whooping-Cough & all Affections of the Throat & Lungs," (carton) " \* \* \* Recommended For \* \* \* 'La Grippe,' Whooping Cough and all Throat and Pulmonary Diseases. \* \* \* for all Diseases of the Respiratory Organs," (circular) " \* \* \* the greatest possibilities of a radical cure. \* \* \* highly recommended for all Affections Of The Respiratory Organs. \* \* \* its persistent use produces a beneficial relief in serious as well as desperate cases. \* \* \* A remedy for all Affections of the Respiratory Organs: Throat, Bronchial Tubes, and Lungs. \* \* \* the use of Gauvin's Syrup in the treatment of more severe cases of \* \* \* Catarrh, as well as Asthma, Whooping-Cough, La Grippe, Hoarseness and Influenza have proved conclusively the efficacy of this remedy. \* \* \* especially appropriate for the treatment of pulmonary diseases, because it constitutes the best antiseptic combination to check the progress of microbes in the respiratory organs, \* \* \* it will relieve the worst cases. \* \* \*," which statements were false and fraudulent in that the article contained no ingredient or ingredients capable of producing the therapeutic or curative effects claimed for it.



On January 6, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9153. Adulteration of canned pumpkin. U. S. \* \* \* v. 122 cases \* \* \***  
**Each Containing 24 Cans of Old Mill Pumpkin. Default decree of**  
**condemnation, forfeiture, and destruction. (F. & D. No. 13186. I. S.**  
**No. 8289-r. S. No. C-2071.)**

On August 13, 1920, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 122 cases, more or less, each containing 24 cans of Old Mill Pumpkin, remaining in the original unbroken packages at Battle Creek, Mich., alleging that the article had been shipped by the Rossville Canning Co., Rossville, Ill., on December 10, 1918, and transported from the State of Illinois into the State of Michigan, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Old Mill Pumpkin, Rossville Canning Co., Rossville, Ills."

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

On September 14, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9154. Misbranding of Kellogg's Sanitone Wafers. U. S. \* \* \* v. 10**  
**Dozen Packages of Kellogg's Sanitone Wafers. Default decree of**  
**condemnation, forfeiture, and destruction. (F. & D. No. 13299. I. S.**  
**No. 9407-t. S. No. E-2576.)**

On August 25, 1920, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 dozen packages of Kellogg's Sanitone Wafers, remaining in the unbroken packages at Atlanta, Ga., alleging that the article had been shipped by the F. J. Kellogg Co., Battle Creek, Mich., on or about May 28, 1918, and transported from the State of Michigan into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Circular) "The Uses of Chromium Sulphate in Medicine. \* \* \* We recommend and advise you to give Kellogg's Sanitone Wafers a fair, persistent trial in any of the diseases or troubles mentioned in the above article. \* \* \* Cystitis \* \* \* prostatic enlargements \* \* \* uterine fibroid tumors \* \* \* Herpes preputialis \* \* \* cirrhosis of the female breast, castration, menopause, functional impotency in men, chronic alcoholism, nervous vomiting and vomiting in pregnancy, \* \* \* neurasthenia, exophthalmic goiter, and locomotor ataxia are of particular interest and importance. Results from this salt (chromium sulphate) are speedy and striking. In \* \* \* neurasthenia it deserves the unique position of being the only drug which is curative, \* \* \* Locomotor ataxia is curable with chromium sulphate. \* \* \* The wafers have chromium sulphate as their chief ingredient."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of pills containing essentially salts of iron and chromium, a laxative plant extractive, capsicum, and a trace of strychnine.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements, regarding the curative and therapeutic effects thereof, appearing in the circulars accompanying and inclosed with the packages containing the said product, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic, curative, and preventive effects claimed for it.

On January 24, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9155. Misbranding of Mott's Compound Female Pills. U. S. \* \* \* v. 12 Packages \* \* \* of \* \* \* Mott's Compound Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13563. Inv. No. 26426. S. No. C-2386.)**

On August 26, 1920, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 packages, more or less, of Mott's Compound Female Pills, at Detroit, Mich., alleging that the article had been shipped by the Williams Mfg. Co., Cleveland, Ohio, on January 6, 1920, and transported from the State of Ohio into the State of Michigan, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Packages) "Mott's Compound Female Pills;" (circular) "\* \* \* Female Pills For irregularity, suppression, painful menstruation, Leucorrhoea and whites. They restore the menstrual flow \* \* \* In cases of Leucorrhoea (the whites), Amenorrhoea (suppressed menses), Menorrhagia (immoderate flow of the menses), Dysmenorrhoea (painful menstruation) and \* \* \* Nervous and Spinal Affections, Pains in the Back and lower parts of the body, Heaviness, Fatigue on Slight Exertion, Palpitation of the Heart, Lowness of Spirits, Hysteria, Sick Headache, Giddiness, and all the \* \* \* complaints produced by a disordered system \* \* \* In Prolapsus Uteri or Uterine Weakness \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes, ferrous sulphate, and cantharides.

It was alleged in substance in the libel that the article was misbranded for the reason that it contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects set forth in the above-quoted statements, and the said statements were false and fraudulent.

On November 2, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9156. Misbranding of Job Moses, Sir J. Clarke's Female Pills. U. S. \* \* \* v. 1 Dozen and 2 Dozen Packages \* \* \* of \* \* \* Job Moses, Sir J. Clarke's Female Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13662, 13663. Inv. Nos. 26475, 26432. S. Nos. C-2473, C-2474.)**

On September 7, 1920, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 1 dozen and 2 dozen packages, more or less, of Job Moses, Sir J. Clarke's Female Pills, remaining unsold in the original unbroken packages

at Detroit, Mich., alleging that the article had been shipped in part by the Williams Mfg. Co., Cleveland, Ohio, on May 10, 1920, and in part by the Eastern Drug Co., Boston, Mass., on July 2, 1920, and transported from the States of Ohio and Massachusetts, respectively, into the State of Michigan, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Package) "Job Moses, Sir J. Clarke's Female Pills;" (bottle and wrapper) "\* \* \* Female Pills \* \* \*;" (circular) "\* \* \* Female Pills \* \* \* good for many \* \* \* painful and dangerous disorders to which the Female \* \* \* is subject. \* \* \* They moderate excessive menstruation and relieve suppressed menstruation \* \* \* During the \* \* \* 'turn of life' \* \* \* they help to allay fevers and inflammations, \* \* \* To those suffering from Uterine Weakness they are with confidence recommended. \* \* \* help can only be expected by perseverance in using the Pills, \* \* \* it generally takes from two or four months before decided results may be obtained. \* \* \* In \* \* \* cases of Leucorrhœa (the whites), Amenorrhœa (suppressed menses), \* \* \* (immoderate flow of the menses), Dysmenorrhœa (painful menstruation), \* \* \* speedy relief may be expected. In many Nervous and Spinal Affections, Pains in the Back and Lower Parts of the Body, Heaviness, Fatigue on Slight Exertion, Palpitation of the Heart, Hysteria, Sick Headache, Giddiness, and various distressing complaints produced by a disordered system, they should effect good results. \* \* \* diseased condition of the Womb, \* \* \* persistent use of the genuine Pills may soon remove the inflammation, \* \* \* 'Do not be discouraged if you are not speedily relieved, but persevere steadily in the use of the Pills \* \* \*'"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes, a salt of iron, and oil of peppermint.

It was alleged in substance in the libels that the article was misbranded for the reason that it contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects set forth in the above-quoted statements, and the said statements were false and fraudulent.

On November 2, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9157. Misbranding of M. I. S. T. No. 2 Nerve Tonic. U. S. \* \* \* v. 51 Packages and 2 Dozen Packages \* \* \* of \* \* \* M. I. S. T. No. 2 Nerve Tonic. Default decree entered ordering destruction of product. (E. & D. Nos. 13714, 13715. Inv. Nos. 26428, 26445. S. Nos. C-2519, C-2520.)**

On September 28, 1920, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 51 packages and 2 dozen packages, more or less, of M. I. S. T. No. 2 Nerve Tonic, remaining unsold in the original unbroken packages at Detroit, Mich., alleging that the article had been shipped by the M. I. S. T. Co., and the Williams Mfg. Co., respectively, from Toledo, Ohio, on July 27 and April 19, 1920, respectively, and transported from the State of Ohio into the State of Michigan, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Label and wrapper) "M. I. S. T. \* \* \* Nerve \* \* \*;" (circular) "For Blood Diseases \* \* \* for Syphilis or Venereal Diseases, Dropsy, Gout, Rheumatism, Tumors, Ulcers, Scrofula, Swellings, Ulcerated Sore Throat, Erysipelas, Cancer

or Cancerous Tumors and Inflammation of the Bladder, Stricture and Varicocele \* \* \* for Nervous Diseases \* \* \* M. I. S. T. No. 2 \* \* \* an aid in the treatment of Nervous Diseases. \* \* \*"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted essentially of aloes, calomel, a laxative plant drug, and a small amount of methyl salicylate.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements set forth in the labels, wrappers, and circulars were false and fraudulent in that the product contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On December 7, 1920, no claimant having appeared for the property, judgments were entered finding the allegations contained in the libels to be true, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9158. Misbranding of Acme Brand pennyroyal pills. U. S. \* \* \* v. 3 Dozen Packages of \* \* \* Acme Brand Pennyroyal Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13728. I. S. No. 7594-t. S. No. E-2746.)**

On or about September 29, 1920, 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 a libel for the seizure and condemnation of 3 dozen packages of Acme Brand pennyroyal pills, remaining unsold in the original unbroken packages at Wilmington, Del., alleging that the article had been shipped by the S. Pfeiffer Mfg. Co., St. Louis, Mo., on or about July 18, 1920, and transported from the State of Missouri into the State of Delaware, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton and wrapper) " \* \* \* effectual and safe \* \* \*;" (circular) "Four or five days before the expected appearance of the menstrual flow, \* \* \* We cannot speak too strongly upon the absolute necessity of keeping the bowels open in cases of suppressed menstruation. To prevent Irregularities \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of oils of pennyroyal and tansy and aloes.

Misbranding of the article was alleged in substance in the libel for the reason that it contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it in the statements above quoted.

On February 5, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9159. Adulteration and misbranding of Baby Brand tomatoes. U. S. \* \* \* v. 471 Cases \* \* \* of Baby Brand Tomatoes. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 13777. I. S. No. 7554-t. S. No. E-2727.)**

On October 9, 1920, 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 for the seizure and condemnation of 471 cases of Baby Brand tomatoes, remaining in the original unbroken packages at Philadelphia, Pa., consigned by Thomas Roberts

& Co., Hurlock, Md., alleging that the article had been shipped from Hurlock, Md., on or about June 9, 1920, and transported from the State of Maryland into the State of Pennsylvania, 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 water had been mixed and packed with, and substituted wholly or in part for, the article.

Misbranding was alleged in substance for the reason that the packages in which the product was inclosed contained labels which bore the following statements, designs, and devices, regarding the article and the ingredients and substances contained therein, to wit, "Baby Brand Tomatoes" (design of red tomato), which were false and misleading in that they indicated that said packages contained tomatoes, when in fact they did not.

On February 21, 1921, Roland Webster, Hurlock, Md., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**9160. Adulteration and misbranding of sauerkraut. U. S. \* \* \* v. 100 Cases \* \* \* of Sauerkraut. Decree of adulteration. Product released under bond. (F. & D. No. 8759. I. S. No. 11827-p. S. No. C-811.)**

On February 2, 1918, 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 for the seizure and condemnation of 100 cases, more or less, each containing 2 dozen retail packages of sauerkraut, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Schall Packing Co., Baltimore, Md., on November 14, 1917, and transported from the State of Maryland into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, (case) "Old Scott Brand \* \* \* Sauer Kraut Packed by Baltimore Canning Co., Baltimore, Md."

Adulteration of the article was alleged in the libel for the reason that an excessive amount of brine had been packed and mixed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for the article.

Misbranding was alleged for the reason that the statement, to wit, "Sauer Kraut," borne upon the labels of the cases, deceived and misled the purchaser into the belief that the article consisted of sauerkraut containing a normal quantity of brine, whereas the article contained an excessive quantity of brine.

On November 14, 1918, John A. Tolman & Co., Chicago, Ill., having entered an appearance as claimant for the property and having denied the material allegations contained in the libel, judgment of the court was entered finding all the material allegations of the libel to be true and declaring the product to be adulterated, and it was ordered by the court that the product be released to 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 the cases and cans have placed upon them a sticker label bearing the statement, "21 ozs. Sauerkraut; 13 ozs. added brine."

E. D. BALL, *Acting Secretary of Agriculture.*

**9161. Misbranding of Gray's Invaluable Ointment. U. S. \* \* \* v. 12 Dozen Packages \* \* \* of \* \* \* Gray's Invaluable Ointment. Product released under bond. (F. & D. No. 11237. I. S. No. 9421-r. S. No. C-1455.)**

On September 16, 1919, the United States attorney for the Eastern 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 for the seizure and condemnation of 12 dozen packages, more or less, of Gray's Invaluable Ointment, remaining unsold in the original unbroken packages at Cairo, Ill., consigned by W. F. Gray & Co., Nashville, Tenn., alleging that the article had been shipped on or about August 8, 1919, and transported from the State of Tennessee into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of animal fat, linseed oil, beeswax, lead oxid and acetate, and a trace of turpentine.

It was alleged in substance in the libel that the article was misbranded for the reason that the following statements, appearing on the cartons and in the accompanying circulars, regarding the curative and therapeutic effects of said article, (cartons) " \* \* \* For Burns, Scalds, Rheumatism, Tic-Doloreux, Poisonous Bites of Spiders, \* \* \* or from having come in contact with Poisonous Plants; Broken Breasts, Sore Nipples and Carbuncles, \* \* \* Fistula \* \* \* Injured Spine, Swellings of all kinds, \* \* \* Sore Throat, \* \* \*," (circulars) "For the relief of \* \* \* Ulcers of long or short standing; \* \* \* Scrofulous and other Tumors, including White Swellings, \* \* \* Old or Fresh Wounds, Gunshot Wounds, \* \* \* Swellings and Inflammations of all kinds; Rheumatic and other Pains; \* \* \* Scald Head, Tetter on the head or any other part of the body; \* \* \* Carbuncles, Cancerous Affections, Gangrene, Eruptions of all kinds; \* \* \* Dog, Snake, Spider, and other Poisonous Bites; Broken Breasts, Sore Nipples, \* \* \* Injured Spine; Sore Eyes, Swellings of all kinds; \* \* \* Sore Throat; \* \* \* Pleurisy and pneumonia, \* \* \* Splint, Wind Galls, \* \* \* Fistula, \* \* \* In early stages of Inflammatory Rheumatism and Soreness about the Breast, \* \* \* this Ointment stands unrivalled. \* \* \* in the course of two or three hours, the system is thrown into a gentle perspiration, and all pains or soreness is rapidly removed \* \* \*," were false and fraudulent as the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in said statements.

On December 23, 1919, W. F. Gray & Co., Nashville, Tenn., having appeared as claimant of the property, and it appearing to the court that said claimant had prepared an amended circular and advertising matter to be used in lieu of the circular and advertising matter complained of in this action, and said claimant having agreed that the goods would not thereafter be sold or offered for sale contrary to law, State or Federal, and the parties having agreed that the goods might be delivered to said claimant and that the said claimant would remove from the packages and destroy the brands and advertising matter complained of and would insert upon or inside the packages the circular, brands, and advertising matter which had been filed with the Solicitor of this department, and the said claimant company having filed its bond in the sum of \$100, in conformity with section 10 of the act, it was ordered by the court that the product be delivered to said claimant and that the case be finally dismissed upon payment of all the costs of the proceedings by the said claimant.

E. D. BALL, *Acting Secretary of Agriculture.*

**9162. Misbranding of Madame Dean Antiseptic Vaginal Suppositories. U. S. \* \* \* v. 9 Boxes of \* \* \* Madame Dean Antiseptic Vaginal Suppositories. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11530. I. S. No. 8187-r. S. No. C-1605.)**

On December 9, 1919, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 boxes of Madame Dean Antiseptic Vaginal Suppositories, at Detroit, Mich., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on April 14, 1919, and transported from the State of Pennsylvania into the State of Michigan, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Outside carton and circular) "Madame Dean Antiseptic Vaginal Suppositories for the relief of Vaginitis, Vulvitis, Gonorrhoeal Inflammation, Leucorrhoeal Discharges; Inflammation, Congestion and Ulceration of the Vagina. \* \* \* The United Medical Co. \* \* \* Lancaster, Pa.;" (retail carton) "Madame Dean Antiseptic Vaginal Suppositories For the Relief of Leucorrhoea or Whites, Gonorrhoea, Inflammation, Congestion, Ulceration and Similar Female Complaints;" (booklet) "Madame Dean Antiseptic Vaginal Suppositories. An effectual suppository for the relief of Leucorrhoea or Whites, Gonorrhoea, and Similar Female Complaints."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the suppositories consisted essentially of a salt of bismuth, alum, boric acid, tannin, and a trace of powdered plant drug in a cacao butter base.

It was alleged in substance in the libel that the article was misbranded for the reason that it contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects set forth in the above-quoted statements, and the said statements were false and fraudulent.

On November 2, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9163. Misbranding of sour salt. U. S. \* \* \* v. Samuel Pressner and Israel Pressner (S. Pressner Co.). Pleas of guilty. Fine, \$5. (F. & D. No. 12102. I. S. No. 12541-r.)**

On or about April 28, 1920, 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 an information against Samuel Pressner and Israel Pressner, heretofore copartners, trading as the S. Pressner Co., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on November 14, 1918, from the State of New York into the State of Massachusetts, of a quantity of sour salt which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture of tartaric acid and ammonia alum.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Sour Salt," borne on the barrels containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was composed wholly of sour salt, and for the further reason that it was labeled as aforesaid so as to

deceive and mislead the purchaser into the belief that the article was composed wholly of sour salt, whereas, in truth and in fact, it was not composed wholly of sour salt, but was a mixture composed in part of alum. Misbranding was alleged for the further reason that the article was a mixture composed in part of alum prepared in imitation of sour salt, and was offered for sale and sold under the distinctive name of another article, to wit, sour salt.

On February 28, 1921, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$5.

E. D. BALL, *Acting Secretary of Agriculture.*

**9164. Adulteration and misbranding of oil of birch. U. S. \* \* \* v. Charles V. Sparhawk. Plea of guilty. Fine, \$150. (F. & D. No. 12354. I. S. No. 12675-r.)**

On August 11, 1920, 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 an information against Charles V. Sparhawk, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on February [December] 27, 1918, from the State of New York into the State of Massachusetts, of a quantity of oil of birch which was adulterated and misbranded. The article was labeled in part, "Oil of Birch Charles V. Sparhawk 278 Pearl Street New York."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained synthetic methyl salicylate.

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the time of the investigation, in that said Pharmacopœia provided that the article should be distilled from sweet birch, whereas it consisted in whole or in part of synthetic methyl salicylate. Adulteration was alleged for the further reason that a substance, to wit, synthetic methyl salicylate, had been substituted in whole or in part for oil of birch, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Oil of Birch," borne on the cases containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that said article was oil of birch, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was oil of birch, whereas, in fact and in truth, it was not oil of birch, but was a mixture composed in large part of synthetic methyl salicylate. Misbranding was alleged for the further reason that the article was a mixture composed in large part of synthetic methyl salicylate prepared in imitation of oil of birch, and was offered for sale and sold under the distinctive name of another article, to wit, oil of birch.

On February 7, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$150.

E. D. BALL, *Acting Secretary of Agriculture.*



**9165. Misbranding of Gauvin's Cough Syrup and Sirop D'Anis (Syrup of Anise). U. S. \* \* \* v. Certain Bottles of \* \* \* Gauvin's Cough Syrup and Sirop D'Anis (Syrup of Anise). Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 12772 to 12781, inclusive. I. S. Nos. 18219-r to 18225-r, inclusive, 1276-r, 1278-r, 1282-r. S. Nos. E-2282, E-2283, E-2285, E-2290, E-2291, E-2292, E-2293, E-2294, E-2296, E-2297.)

On or about July 22, 1920, the United States attorney for the District of Vermont, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain bottles of Gauvin's Cough Syrup and Sirop D'Anis (Syrup of Anise), remaining unsold in the original unbroken packages at various places in Vermont, consigned by J. A. E. Gauvin, Lowell, Mass., alleging that the articles had been shipped between the dates August 27, 1919, and January 9, 1920, and transported from the State of Massachusetts into the State of Vermont, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Gauvin's Cough Syrup consisted essentially of the extractives of wild cherry bark and spruce gum, sugar, alcohol, and water, and that the Sirop D'Anis consisted of morphine acetate, alcohol, oil of anise, sugar, and water.

Misbranding of the articles was alleged in substance in the libels for the reason that the packages bore certain statements regarding the curative or therapeutic effects thereof, as follows, (Gauvin's Cough Syrup) (bottle) " \* \* \* For \* \* \* 'La Grippe,' Whooping-Cough & all affections of the Throat & Lungs," (carton, English and French) " \* \* \* Recommended For \* \* \* 'la Grippe,' Whooping Cough and all Throat and Pulmonary Diseases. \* \* \* A safe and active Remedy for all Diseases of the Respiratory Organs: \* \* \* La Grippe, Whooping-Cough and all Throat and Lung Diseases," (circular) " \* \* \* Successfully used in all affections of the Throat, Bronchi and Lungs. \* \* \* especially indicated in the treatment of all cases of Coughs, Colds, Catarrh, Asthma, Whooping-Cough, Influenza and in the first stages of Consumption. \* \* \* Tuberculosis \* \* \* ailments of the Chest; \* \* \* Spasmodic Coughs, \* \* \*," (French) " \* \* \* used against all affections of the throat, bronchi and lungs \* \* \* Gauvin Cough Syrup is fully indicated for treatment of the most serious cases of colds, bronchitis, the most obstinate catarrhs, asthma, whooping cough, grippe, hoarseness, influenza and the first stages of consumption \* \* \* tuberculos's and \* \* \* epidemic grippe \* \* \* diseases of the chest \* \* \* gastric disorders," (Sirop D'Anis) (bottle, one consignment) " \* \* \* For Babies \* \* \* A Preparation for soothing pain in cases of Colic, Dysentery, Coughs & Colds, recommended for babies and children when process of dentition is painful," (bottle, remaining consignments) " \* \* \* For Babies \* \* \* This preparation is highly recommended in cases of Colic, Dysentery, Sleeplessness and painful dentition. \* \* \*," (French) "For babies. This syrup is administered in cases of colic, diarrhea, dysentery, painful dentition, sleeplessness, coughs, colds, etc.," (wrapper, all consignments) " \* \* \* For Babies \* \* \* This Syrup is administered for Infantile Colics, Dysentery, Coughs, Colds, Sleeplessness, etc.," (French) "For Babies. This syrup is administered in cases of colic, diarrhea, dysentery, painful dentition, coughs, colds, sleeplessness, etc.," (circular, all consignments) "For Babies \* \* \* A preparation for soothing pain in cases of Colic, Dysentery, Coughs, Colds and Sleeplessness. Recommended for babies and children

when the process of dentition is painful," (French) "For babies \* \* \* a preparation for soothing pain in cases of colic, dysentery, colds and chills (Refroidissements). Recommended for babies and children when dentition is painful and when wanting sleep," which statements were false and fraudulent in that the articles contained no ingredient or ingredients capable of producing the therapeutic or curative effects claimed for them.

On January 6, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9163. Adulteration of eggs. U. S. \* \* \* v. Emil Weidenmaier. Plea of guilty. Fine, \$50. (F. & D. No. 12810. I. S. No. 6836-r.)**

On September 2, 1920, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Emil Weidenmaier, Fort Cobb, Okla., alleging shipment by said defendant, under the name of Otto Wray, in violation of the Food and Drugs Act, on or about July 29, 1919, from the State of Oklahoma into the State of Texas, of a quantity of shell eggs which were adulterated.

Examination of 360 eggs taken from two cases of this consignment, by the Bureau of Chemistry of this department, showed 42 black rots, 8 mixed or white rots, and 1 heavy blood ring, or 14.2 per cent inedible eggs.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy and decomposed animal substance.

On January 24, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

**9167. Misbranding of Rawleigh's All-Medicine Hog Mixture. U. S. \* \* \* v. 23 Cans of Rawleigh's All-Medicine Hog Mixture. Default decree of forfeiture and destruction. (F. & D. No. 12818. Inv. No. 21133. S. No. E-2308.)**

On June 9, 1920, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 23 cans of Rawleigh's All-Medicine Hog Mixture, at Lumberton, N. C., alleging that the article had been shipped by the W. F. Rawleigh Co., Chester, Pa., on or about April 20, 1920, and transported from the State of Pennsylvania into the State of North Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Rawleigh's All-Medicine Hog Mixture \* \* \* To Prevent Disease, \* \* \* If a contagious disease is in the neighborhood feed regularly as long as the contagion lasts. \* \* \* Even hogs so sick with Cholera that they refused to eat anything else have had their appetites restored by it, and have improved steadily until perfectly well. \* \* \* Hog Cholera and Swine Plague \* \* \* it is recommended as especially useful to help overcome and prevent these diseases, and has been found helpful in restoring hogs to health in many cases where they have practically every symptom of being afflicted with one or the other of these diseases. \* \* \* Use Enough To Do Some Good. \* \* \* The Mixture should be given regularly at least several weeks to obtain appreciable benefit. \* \* \* Give it a trial, a thorough test, and you will be unusually well pleased with the results;" (booklet) "To

Prevent Disease, \* \* \* If a contagious disease is in the neighborhood feed regularly as long as the contagion lasts. \* \* \* Even hogs so sick with Cholera that they refused to eat anything else have had their appetites restored by it, and have improved steadily until perfectly well."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture composed essentially of sulphate, thiosulphate, chlorid, phosphate, and bicarbonate of sodium, ferrous sulphate, potassium nitrate, charcoal, buckthorn, ginger, and sulphur.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements were false and fraudulent since the product contained no ingredients or combination of ingredients capable of producing the effects claimed, and the said statements were applied to the article knowingly and in reckless disregard of their falsity, so as to represent falsely and fraudulently to the purchaser thereof that the article was in whole or in part an effective remedy for the purpose for which it was recommended, when, in truth and in fact, it was not a remedy for, or a preventative against, the ailments for which prescribed in the label and booklet.

On December 17, 1920, no claimant having appeared for the property, a decree was entered declaring the product to be misbranded and forfeited, and it was ordered by the court that it be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9168. Misbranding of Gauvin's Cough Syrup. U. S. \* \* \* v. 79 Bottles, 53 Bottles, 41 Bottles, and 45 Bottles of \* \* \* Gauvin's Cough Syrup. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 12819, 12820, 12821, 12822. I. S. Nos. 1281-r, 1280-r, 1279-r, 1277-r. S. Nos. E-2304, E-2305, E-2306, E-2307.)

On or about July 22, 1920, the United States attorney for the District of Vermont, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 79 bottles, 53 bottles, 41 bottles, and 45 bottles of Gauvin's Cough Syrup, consigned by J. A. E. Gauvin, Lowell, Mass., remaining unsold in the original unbroken packages at St. Albans, Vt., alleging that the article had been shipped on or about December 15, August 27, September 3, and September 4, 1919, respectively, and transported from the State of Massachusetts into the State of Vermont, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of the extractives of wild cherry bark and spruce gum, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the packages bore certain statements regarding the curative or therapeutic effects thereof, as follows, (shipment of December 15, 1919) (bottle) " \* \* \* For \* \* \* 'La Grippe,' Whooping-Cough & all Affections of the Throat & Lungs," (carton) " \* \* \* Recommended For \* \* \* 'la Grippe' Whooping Cough and all Throat and Pulmonary Diseases. \* \* \* for all Diseases of the Respiratory Organs," (circular) " \* \* \* the greatest possibilities of a radical cure. \* \* \* highly recommended for all Affections Of The Respiratory Organs. \* \* \* its persistent use produces a beneficent relief in serious as well as desperate cases. \* \* \* a remedy for all Affections of the Respiratory Organs: Throat, Bronchial Tubes and Lungs. \* \* \* the use of Gauvin's Syrup in the treatment of more severe cases of \* \* \* Catarrh, as well as Asthma, Whooping-Cough, La Grippe, Hoarseness and Influenza have proven conclusively the efficacy of this remedy. \* \* \* espe-

cially appropriate for the treatment of pulmonary diseases, because it constitutes the best antiseptic combination to check the progress of microbes in the respiratory organs, \* \* \* it will relieve the worst cases. \* \* \*," (remaining shipments) (bottle) " \* \* \* For \* \* \* 'La Grippe,' Whooping Cough & all affections of the Throat & Lungs," (carton, English and French) " \* \* \* Recommended For \* \* \* 'La Grippe,' Whooping Cough and all Throat and Pulmonary Diseases. \* \* \* A safe and active Remedy for all Diseases of the Respiratory Organs: \* \* \* La Grippe, Whooping-Cough and all Throat and Lung Diseases," (circular) " \* \* \* Successfully used in all affections of the Throat, Bronchi and Lungs. \* \* \* especially indicated in the treatment of all cases of Coughs, Colds, Catarrh, Asthma, Whooping-Cough, Influenza and in the first stages of Consumption. \* \* \* Tuberculosis \* \* \* ailments of the Chest; \* \* \* Spasmodic Coughs, \* \* \*," (French) " \* \* \* used against all affections of the throat, bronchi and lungs \* \* \* Gauvin Cough Syrup is fully indicated for treatment of the most serious cases of colds, bronchitis, the most obstinate catarrhs, asthma, whooping cough, grippe, hoarseness, influenza and the first stages of consumption \* \* \* tuberculosis \* \* \* and epidemic grippe \* \* \* diseases of the chest \* \* \* gastric disorders," which statements were false and fraudulent in that the article contained no ingredient or ingredients capable of producing the therapeutic or curative effects claimed for it.

On January 6, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9169. Adulteration of oysters. U. S. \* \* \* v. C. H. Weser. Collateral of \$50 forfeited. (F. & D. No. 14047. I. S. Nos. 16704-r, 17417-r.)**

On March 10, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against C. H. Weser, Washington, D. C., alleging that on March 12 and February 3, 1920, respectively, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, quantities of oysters which were adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for oysters, which the article purported to be, and for the further reason that a valuable constituent of the article, to wit, oyster solids, had been wholly or in part abstracted.

On March 10, 1921, the defendant having entered an appearance, but not defending the action, the \$50 collateral which had been deposited by him was declared forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**9170. Misbranding of olive oil. U. S. \* \* \* v. One Case Containing 20 Cans, and One Case Containing 40 Cans, of Victory Brand Pure Olive Oil. Consent decree of condemnation and forfeiture. Product ordered sold. (F. & D. Nos. 513-c, 514-c. I. S. Nos. 11810-r, 11811-r.)**

On December 20, 1919, the United States attorney for the Eastern District of Wisconsin, acting upon reports by a deputy State food inspector, filed in

the District Court of the United States for said district libels for the seizure and condemnation of one case containing 20 cans, and one case containing 40 cans, of Victory Brand Pure Olive Oil, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by the Greek Products Importing Co., Chicago, Ill., on or about November 26, 1919, and transported from the State of Illinois into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled: (Cans) "Contents  $\frac{1}{2}$  Gallon" (or "1 Quart") "Pure Olive Oil \* \* \* Victory Brand Greek Products Importing Co. Chicago, U. S. A.;" (case) "Victory Brand Pure Olive Oil. Imported by Greek Products Importing Co. Chicago, U. S. A. Net  $\frac{1}{2}$  gal." (or "1 qt.").

Misbranding of the article was alleged in the libels for the reason that the labels upon the cases and cans containing said article bore the statement that each can contained one-half gallon, or one quart, as the case might be, of olive oil, which statement was false and misleading inasmuch as the contents of each of the cans were materially less than the stated amount, averaging, in the case of the half-gallon cans, in percentage from  $3\frac{1}{2}$  per cent to  $5\frac{1}{2}$  per cent short in measure and volume, and in the case of the quart cans, from 4 per cent to 7 per cent short in measure and volume; for the further reason that the statements, "Contents  $\frac{1}{2}$  Gallon" and "Contents 1 Quart," deceived and misled a purchaser of said article; and for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages and upon each can, in terms of volume and measure, since the amount stated was not a correct statement.

On March 16, 1920, the Greek Products Importing Co., Chicago, Ill., claimant, having admitted the material allegations in the libels, judgments were entered finding the product to be misbranded, and it was ordered by the court that the product be sold by the United States marshal, the purchaser to pay the costs of the proceedings and execute a bond for the proper relabeling of the article.

E. D. BALL, *Acting Secretary of Agriculture.*

**9171. Misbranding of Redsules. U. S. \* \* \* v. 3 Dozen Boxes of \* \* \* Redsules \* \* \*. Consent decree of misbranding. Product released on bond. (F. & D. No. 10328. I. S. No. 2599-r. S. No. W-350.)**

On May 14, 1919, 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 for the seizure and condemnation of 3 dozen boxes of Redsules, remaining unsold in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by H. Planten & Son, Brooklyn, N. Y., on April 23, 1919, and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted essentially of balsam of copaiba with a small amount of santal oil.

Misbranding of the article was alleged in substance in the libel for the reason that there appeared upon the carton and in the circular and booklet accompanying the article, the following statements, (carton and circular) "\* \* \* For The Treatment Of Diseases Pertaining To The Kidneys, Bladder And Urinary Organs," (booklet) "Gonorrhoea \* \* \* Gleet \* \* \* On the first appearance of the discharge, we suggest you take some one of our Capsules, preferably \* \* \* Redsules. \* \* \* Remember that even after the discharge has stopped \* \* \* the medicine should never be suddenly stopped,

but continued for ten days to ensure thorough healing, \* \* \* The following are a few of the many formulas of Capsules manufactured by us and prescribed by physicians in the treatment of Gonorrhœa, Gleet, Catarrh of the Bladder, Urethritis. \* \* \* 'Redsules'—Our latest specialty \* \* \* Some extremely stubborn cases may be assisted to a more speedy termination by taking 'Redsules,' \* \* \* prescribed in the treatment of Gonorrhœa, Gleet, Urethritis, Catarrh of the Bladder," whereas the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it, and the said statements were false and fraudulent.

On October 11, 1919, H. Planten & Son, Brooklyn, N. Y., claimant, having consented to a decree, judgment was entered declaring the product to be misbranded, and it was ordered by the court that the article be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**9172. Misbranding of olive oil. U. S. \* \* \* v. 20 Cases, Half-Gallon Cans, and 5 Cases, Gallon Cans, of Olive Oil. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 11518. I. S. No. 2947-r. S. No. W-541.)**

On or about November 21, 1919, 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 for the seizure and condemnation of 20 cases, half-gallon cans, and 5 cases, gallon cans, of olive oil, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by Francisco Bertoli & Co., New York, N. Y., on September 12, 1919, and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act.

It was alleged in substance in the libel that the article was misbranded, in violation of section 8, paragraph 3, of the Food and Drugs Act, in that each of the gallon cans was labeled "Net 1 Gallon," and each of the half-gallon cans was labeled "Net  $\frac{1}{2}$  Gallon," whereas examination showed that the gallon cans and the half-gallon cans were short 4.8 per cent.

On December 9, 1919, Antonio Puccinelli, San Francisco, Calif., claimant, having consented to a decree and having filed a bond in the sum of \$200, in conformity with section 10 of the act, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

**9173. Adulteration and misbranding of double distilled water. U. S. \* \* \* v. Eads Water Co., a Corporation. Plea of guilty. Fine, \$80 and costs. (F. & D. No. 11627. I. S. Nos. 5576-r, 5902-r, 7707-r.)**

On July 7, 1920, 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 the Eads Water Co., a corporation, Kansas City, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about July 8 and August 21, 1918, and May 16, 1919, from the State of Missouri into the State of Kansas, of quantities of double distilled water which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the presence of filthy and decomposed animal or vegetable substances.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy and decomposed animal or vegetable substance.

Misbranding was alleged with respect to all shipments for the reason that the statement, to wit, "Our System Of Distillation Represents The Highest Degree Of Purity Ever Reached By Any Process," borne on the labels attached to the bottles containing the article, regarding the article, was false and misleading in that it represented that the article consisted wholly of double distilled water of the highest degree of purity, whereas, in truth and in fact, the article consisted in whole or in part of a filthy and decomposed animal or vegetable substance. Misbranding was alleged with respect to the product involved in the shipments of August 21, 1918, and May 16, 1919, for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 8, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$80 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**9174. Adulteration and misbranding of olive oil. U. S. \* \* \* v. Adolph Panarelli. Plea of guilty. Fine, \$100.** (F. & D. No. 11998. I. S. Nos. 12578-r, 12709-r, 12713-r, 12714-r, 12715-r, 13683-r, 13684-r, 13685-r, 13732-r, 14216-r.)

On or about April 28, 1920, 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 an information against Adolph Panarelli, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on September 12, November 18 and 22, December 2, 9, and 29, 1918, and May 22, 1919, from the State of New York into the State of Connecticut, of quantities of alleged Italian olive oil and Spanish olive oil which were adulterated and misbranded.

Analyses of samples of the article taken from all consignments of the article, with one exception, showed it to consist entirely or almost entirely of cottonseed oil. Analysis of a sample from the consignment of May 22, 1919, showed it to consist of approximately one-half cottonseed oil. Examination showed that the product was short in volume in all consignments.

Adulteration of the so-called Italian olive oil was alleged in the information with respect to all consignments with the exception of that of May 22, 1919, for the reason that a substance, to wit, cottonseed oil, had been substituted in whole or in part for olive oil, which the article purported to be. Adulteration was alleged with respect to the consignment of May 22, 1919, for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for olive oil, which the article purported to be. Adulteration of the so-called Spanish olive oil was alleged for the reason that a substance, to wit, an oil or a mixture of oils other than olive oil, had been substituted wholly or in part for olive oil, which the article purported to be.

Misbranding of the article was alleged in substance for the reason that the statements, to wit, "Olio Puro \* \* \* Lucca Italy \* \* \* Net Contents Full Gallon," or "Olio Puro D'Oliva \* \* \* Lucca Italy \* \* \* Olio Puro D'Oliva Garantito Produzione Propria \* \* \* Net Contents Full Quarter Gallon," "Net Contents Full Half Gallon," or "Pure Extra Fine Olive Oil Madrid Brand Imported from Spain \* \* \* Spanish Product \* \* \* Extra Sublimo Olive Oil \* \* \* We guarantee This Olive Oil To be Absolutely Pure Under Chemical Analysis \* \* \* Half Full Gallon," "One Full Gallon," or "Qualita

Superiore \* \* \* Olio Puro Garantito Sotto Qualsiasi Analisi Chimica  $\frac{1}{2}$  Gallon Net," " $\frac{1}{4}$  Gallon Net," or "Finest Quality Table Oil Tipo Termini Imerese \* \* \* Sicilia-Italia \* \* \* Guaranteed Absolutely Pure \* \* \*  $\frac{1}{4}$  Gallon Net," together with certain designs and devices, not corrected by the statement in certain instances in inconspicuous type in inconspicuous places, "Cottonseed oil," "Cotton Salad Oil," "Cottonseed oil slightly flavored with olive oil," borne on the cans containing the article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, that it was a foreign product, to wit, an olive oil produced in the kingdoms of Italy or Spain, as the case might be, and that each of the cans contained one gallon, one-half gallon, or one-quarter gallon, net, as the case might be, of the article, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, that it was a foreign product, to wit, an olive oil produced in the kingdoms of Italy or Spain, as the case might be, and that each of the cans contained one gallon, one-half gallon, or one-quarter gallon net, as the case might be, of the article, whereas, in truth and in fact, it was not olive oil, but was a mixture composed in whole or in part of cottonseed oil, or an oil or mixture of oils other than olive oil, it was not a foreign product but was a domestic product, to wit, an article produced in the United States of America, and each of the cans did not contain one gallon, one-half gallon, or one-quarter gallon net, as the case might be, of the article, but did contain a less amount. Misbranding was alleged for the further reason that the article was falsely branded as to the country in which it was produced in that it was branded as produced in the Kingdoms of Italy or Spain, as the case might be, whereas it was produced in the United States of America, and for the further reason that the above-quoted statements purported the article to be a foreign product, when not so. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package. Misbranding was alleged with respect to certain consignments for the further reason that the article was a mixture composed in whole or in part of cottonseed oil prepared in imitation of olive oil, and was offered for sale and sold under the distinctive name of another article, to wit, olive oil.

On February 23, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

**9175. Misbranding of Brazilian Balm. U. S. \* \* \* v. 66 Bottles, \$1 Size, 9 Dozen Bottles, 50-cent Size, and 7 Dozen Bottles, 25-cent Size, of \* \* \* Brazilian Balm. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12521. I. S. Nos. 14633-r, 14634-r, 14635-r. S. No. E-2033.)**

On or about March 19, 1920, 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 a libel for the seizure and condemnation of 66 bottles, \$1 size, 9 dozen bottles, 50-cent size, and 7 dozen bottles, 25-cent size, of Brazilian Balm, remaining unsold in the original unbroken packages at Wilmington, Del., alleging that the article had been shipped by B. F. Jackson & Co., Arcade, N. Y., on or about February 27, 1920, and transported from the State of New York into the State of Delaware, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of plant extractives including hydrastis, glycerin, sugar, alcohol, and water, flavored with methyl salicylate.



It was alleged in substance in the libel that the article was misbranded for the reason that the bottle label and the circular accompanying the article contained the following statements, (bottle label) “\* \* \* Grip, Croup, Throat and Lung Troubles, Catarrh, Asthma, Bronchitis, And Fevers \* \* \* mumps, \* \* \* constipation, piles and all inflammatory conditions. \* \* \*,” (circular) “\* \* \* Croup, Grip, Sore Throat, Bronchitis, Fevers, \* \* \* Asthma and Catarrh \* \* \* Pneumonia \* \* \* Spanish Influenza \* \* \* Hay Fever \* \* \* Systemic Catarrh \* \* \* Mumps \* \* \* ‘\* \* \* typhoid fever \* \* \* congestion of the lungs, laryngitis and heart failure \* \* \*’ \* \* \* blood poison \* \* \* Catarrh Of Bowels \* \* \* Sick Headache \* \* \* Serious Female Troubles \* \* \* Quick Consumption \* \* \* Pleurisy Quickly Cured \* \* \* Typhoid And Pneumonia Cured \* \* \* Kidney Trouble \* \* \* Swellings,” whereas the articles contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On February 5, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9176. Misbranding of Sirop D'Anis (Syrup of Anise). U. S. \* \* \* v. 469 Bottles, 1 Gross Bottles, and 2 Dozen Bottles of \* \* \* Sirop D'Anis (Syrup of Anise). Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 12763, 12764, 12765. I. S. Nos. 18218-r, 480-r, 479-r. S. Nos. E-2272, E-2273, E-2278.)**

On June 2 and July 17, 1920, the United States attorney for the District of Vermont, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 469 bottles of Sirop D'Anis (Syrup of Anise), at Burlington, Vt., and 1 gross and 2 dozen bottles at Island Pond, Vt., consigned by J. A. E. Gauvin, Lowell, Mass., remaining unsold in the original unbroken packages, alleging that the article had been shipped on or about March 19, 1920, and September 10, 1919, respectively, and transported from the State of Massachusetts into the State of Vermont, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a solution composed essentially of morphine acetate, oil of anise, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that certain statements regarding the curative or therapeutic effects of the article, as follows, (bottle label) “For Babies \* \* \* This preparation is highly recommended in cases of Colic, Dysentery, Sleeplessness and painful dentition. \* \* \*,” (French) “For babies. This syrup is administered in cases of colic, diarrhea, dysentery, painful dentition, coughs, colds, sleeplessness, etc.,” (wrapper) “For Babies \* \* \* This Syrup is administered for Infantile Colics, Dysentery, Coughs, Colds, Sleeplessness, etc.,” (French) “This syrup is administered in cases of colic, diarrhea, dysentery, painful dentition, coughs, colds, sleeplessness, etc.,” (circular) “(For babies) \* \* \* A preparation for soothing pain in cases of Colic, Dysentery, Coughs, Colds and Sleeplessness. Recommended for babies and children when the process of dentition is painful,” (French) “For babies \* \* \* a preparation for soothing pain in cases of colic, dysentery, colds and chills (Refroidissements). Recommended for babies and children when dentition is painful and when wanting sleep,” were false and fraudulent in that the article contained no ingredient or ingredients capable of producing the therapeutic or curative effects claimed.

On January 6, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9177. Misbranding of olive oil. U. S. \* \* \* v. Spyros A. Microutsicos and George A. Microutsicos (Microutsicos Bros.). Pleas of guilty. Fine, \$20. (F. & D. No. 14059. I. S. No. 625-r.)**

On March 1, 1921, 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 an information against Spyros A. Microutsicos and George A. Microutsicos, trading as Microutsicos Bros., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on December 20, 1919, from the State of New York into the State of Florida, of a quantity of olive oil which was misbranded. The article was labeled in part, "Imported French Pure Olive Oil \* \* \* Emperor Brand \* \* \* Net Contents  $\frac{1}{2}$  Gall."

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Contents  $\frac{1}{2}$  Gall.," borne on the cans containing the article, regarding the article, was false and misleading in that it represented that each of the cans contained one-half gallon net of the article, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the cans contained one-half gallon net of the article, whereas, in truth and in fact, each of the cans contained a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 2, 1921, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$20.

E. D. BALL, *Acting Secretary of Agriculture.*

**9178. Adulteration of tomato purée. U. S. \* \* \* v. 149 Cases of Tomato Purée. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14062. I. S. No. 5238-t. S. No. E-2942.)**

On December 13, 1920, 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 of information praying the seizure and condemnation of 149 cases of tomato purée, at Boston, Mass., consigned by the Girard Canning Co., North Girard, Pa., on October 16, 1920, alleging that the article had been shipped and transported from the State of Pennsylvania into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Sun-Maid Brand Whole Tomato Puree Packed By Girard Canning Co."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On January 31, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9179. Misbranding of Cadomene Tablets. U. S. \* \* \* v. 19 Packages of \* \* \* Cadomene Tablets \* \* \*. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14211. Inv. No. 26338. S. No. E-3057.)**

On January 18, 1921, 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 a libel for the seizure and condemnation of 19 packages of Cadomene Tablets, consigned on or about September 8 and October 28, 1920, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Blackburn Products Co., Dayton, Ohio, and transported from the State of Ohio into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of zinc phosphid, strychnine, and iron salts.

Misbranding of the article was alleged in the libel for the reason that the following statements were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the effects claimed for it: (Bottle label) "Invigorating \* \* \* for the Treatment of \* \* \* Neurasthenia (Nerve Exhaustion), General Debility, Melancholy, Dizziness, Heart Palpitation, Trembling Weakness, Waning Strength, Functional Irritation of the Urinary Tract, Languor and many other Symptoms due to \* \* \* Worry, Grief, Intemperance, Dissipation, Overwork, Mal-Nutrition, Convalescence from Influenza, Etc.;" (circular) "\* \* \* the benefits to be derived from their use, are such as to recommend them to all who may be afflicted with \* \* \* Neurasthenia, Nervous Exhaustion, General Debility, Melancholy, Dizziness, Heart Palpitation, Trembling Weakness, Waning Strength, Functional Irritation of the Urinary Tract, Languor and many other symptoms due to \* \* \* Worry, Grief, Intemperance, Dissipation, Mal-Nutrition, Overwork, Etc. \* \* \* valuable for those who are despondent, nervous, irritable and unable to act naturally under the most ordinary circumstances. \* \* \*"

On February 26, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9180. Misbranding of Prescription 1000 External and Prescription 1000 Internal. U. S. \* \* \* v. 10 Bottles of Prescription 1000 External and 9 Bottles and 30 Bottles of Prescription 1000 Internal. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 10624, 10625. I. S. Nos. 13960-r, 13962-r. S. Nos. E-1541, E-1547.)**

On or about June 18 and 23, 1919, 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 for the seizure and condemnation of 10 bottles of Prescription 1000 External and 9 bottles and 30 bottles of Prescription 1000 Internal, at Troy and Schenectady, N. Y., alleging that the articles had been shipped on or about March 15 and May 16, 1919, by the Reese Chemical Co., Cleveland, Ohio, and transported from the State of Ohio into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part: "Prescription 1000 External \* \* \* in obstinate cases of Gonorrhoea or Gleet

\* \* \*;" "Prescription 1000 Internal \* \* \* Most Efficient Treatment For Gleet and Gonorrhœa \* \* \* A Very Good Treatment For Bladder Troubles Frequent Urination Inflammation \* \* \*."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Prescription 1000 External consisted of a dilute aqueous solution of potassium permanganate, and that the Prescription 1000 Internal consisted essentially of a slightly alkaline emulsion of balsam of copaiba flavored with methyl salicylate.

It was alleged in substance in the libels that the articles were misbranded for the reason that the above-quoted statements were false and untrue and were known to be so by the shippers aforesaid, and the contents of said bottles were not able to produce, nor did any of the bottles contain any ingredient or combination of ingredients capable of producing, the effects claimed for them in the printing aforesaid found upon the cartons and in the circulars accompanying the same, and said labeling, being false and untrue and fraudulent, was in violation of the Food and Drugs Act.

On July 22, 1919, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9181. Adulteration and misbranding of Big G. U. S. \* \* \* v. 88 Bottles of \* \* \* Big G. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10657. I. S. No. 13961-r. S. No. E-1560.)

On or about June 21, 1919, 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 a libel for the seizure and condemnation of 88 bottles of Big G, at Troy, N. Y., alleging that the article had been shipped on or about July 14, 1917, by the Evans Chemical Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of New York, and charging adulteration and misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "Big G."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a solution of borax and berberine. No hydrastine was present.

It was alleged in substance in the libel that the article was adulterated for the reason that upon said cartons was printed in English, French, German, and Spanish certain words stating the contents to be a compound of borated goldenseal, whereas, in fact, the article did not contain and did not consist of a compound of borated goldenseal, and such statement was false and untrue, and the strength and purity of the article fell below the professed standard and quality under which it was sold.

Misbranding was alleged in substance for the reason that the labeling of the article alleged and declared it to contain a compound of borated goldenseal, whereas, in truth and in fact, it did not contain a compound of borated goldenseal, and for the further reason that it did not contain any ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it on the said bottle label, carton, and in the accompanying booklet, to wit, " \* \* \* A compound of Borated Goldenseal The remedy for Catarrh, Hay Fever, and Inflammations, Irritations or Ulcerations of mucous membranes or Linings of the Nose, Throat, Stomach and Urinary Organs;" and further that the label on the bottle stated the contents to be a non-poisonous tonic for divers diseases therein named, including hay fever, itching conditions of the skin and

mucous membrane, etc., and that the said booklet accompanying the article contained the further allegation that it was a remedy for hay fever, inflammation of the eye, cystitis, gastritis, hemorrhoids, piles, gleet, stricture, and divers other kindred and various diseases in said booklet set forth, all of which said claims for the curative powers of the said drug were false and untrue and were intended to deceive and mislead those desiring cures of any of the said diseases and to lead them to believe that the said drug would produce such effects, and that said statements as to the curative effects were willfully, wrongfully, and unlawfully used for the purpose of misleading those looking for cures for any of the diseases mentioned, and intended to mislead and deceive them to believe that the article was a cure and remedy for said diseases, all of which statements were false and untrue.

On July 22, 1919, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9182. Misbranding of Bliss Native Herbs Tablets. U. S. \* \* \* v. 45 Packages and 142 Boxes \* \* \* of Bliss Native Herbs Tablets. Default decree of condemnation, forfeiture, and destruction in the case of 45 packages. Consent decree of condemnation and forfeiture, product released under bond, in the other case. (F. & D. Nos. 11335, 11336. I. S. Nos. 12452-r, 8332-r. S. Nos. C-1490, C-1495.)**

On November 26 and on or about September 29, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 45 packages and 142 boxes, more or less, of Bliss Native Herbs Tablets, remaining unsold at Columbus and Dayton, Ohio, respectively, consigned by the Alonzo O. Bliss Medical Co., Washington, D. C., on or about August 1 and 29, 1919, respectively, alleging that the article had been transported from the District of Columbia into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) “\* \* \* Indigestion, Dyspepsia, Autointoxication, Sick and Nervous Headache, Kidney and Liver Derangements, Loss of Appetite, Blood Impurities, etc.”

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of aloes, licorice, uva ursi, buchu, capsicum, and a resin-bearing drug.

Misbranding of the article was alleged in substance in the libels for the reason that the packages purported to contain a product known as Bliss Native Herbs, for the cure of indigestion, dyspepsia, autointoxication, sick and nervous headache, kidney and liver derangements, loss of appetite, blood impurities, etc., only by reason of statements on the labels thereof, whereas, in truth and in fact, said statements were false and misleading [fraudulent] in that the product had but little or no ingredients capable of producing the therapeutic effects claimed therefor.

On February 4, 1921, no claimant having appeared for the property in the case of the 45 packages at Columbus, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal. On February 2, 1921, the Alonzo O. Bliss Medical Co., Washington, D. C., having entered an appearance as claimant in the case of the 142 boxes at Dayton, and having admitted the facts set forth in the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to

said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act, conditioned in part that the article be relabeled under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**9183. Misbranding of American Hog Remedy and American Stock Tonic. U. S. \* \* \* v. Certain Packages of American Hog Remedy and American Stock Tonic. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13436 to 13455, inclusive. Inv. Nos. 10433 to 10437, inclusive, 15747 to 15749, inclusive, 10431, 15750, 26601 to 26622, inclusive, 26627 to 26634, inclusive. S. Nos. C-2225 to C-2256, inclusive, C-2278 to C-2285, inclusive.)

On August 31 and September 7, 1920, 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 libels for the seizure and condemnation of certain packages of American Hog Remedy and American Stock Tonic, located at various places in Illinois, alleging that the articles had been shipped by the American Remedy Co., Tiffin, Ohio, between the dates December 23, 1919, and February 3, 1920, and transported from the State of Ohio into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the American Hog Remedy consisted essentially of powdered charcoal, peanut shells, sodium chlorid, ferrous sulphate, sulphur, magnesium sulphate, iron oxid, American wormseed, nux vomica, and quassia, and that the American Stock Tonic consisted essentially of charcoal, peanut shells, sodium chlorid, ferrous sulphate, sulphur, magnesium sulphate, iron oxid, American wormseed, and brown mustard.

Misbranding of the articles was alleged in substance in the libels for the reason that the following statements regarding the curative and therapeutic effect thereof, appearing on the carton inclosing the packages, (American Hog Remedy) "A Concentrated Remedy for Swine Recommended especially for Hogs. Purifies the blood, \* \* \* Do not be deceived. Hogs Require entirely distinct compound from other domestic animals. It is absurd to believe that ordinary Stock Remedy will cure and prevent Hog Cholera \* \* \* The required dose for a hog of any scientific compound, containing the ingredients required to cure and prevent contagion among swine, \* \* \* Directions \* \* \* For Hog Cholera.—As soon as you notice that Hog Cholera has begun on your herd, \* \* \* Give from two to three tablespoonfuls of American Hog Remedy \* \* \* If already diseased increase at once to three or even four tablespoonfuls \* \* \*," (American Stock Tonic) "A valuable remedy in the treatment of diseases peculiar to Horses, Cattle, Sheep and Hogs, such as Coughs, \* \* \* Lung Fever, \* \* \* Founder \* \* \* Diseases of the Stomach, Kidneys and Urinary Organs and all diseases arising from impure blood. \* \* \* Begin using American Stock Tonic during the early stages of any disease. Follow directions carefully and you will seldom have to call a veterinarian. \* \* \* Keep this product at hand and you can feel reasonably certain that you will not lose any of your live stock from disease. Directions \* \* \* prevent disease, \* \* \* For Hog Cholera: \* \* \* For worms: \* \* \* For Heaves In Horses: \* \* \*," were false and fraudulent in that the articles did not contain ingredients or medicinal agents or combinations of ingredients, effective as a remedy for the various diseases, ailments, and afflictions mentioned on the cartons aforesaid.

On November 22, 1920, and March 16, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9184. Adulteration of oysters. U. S. \* \* \* v. John F. Javins and Francis H. Javins (Charles H. Javins & Sons). Pleas of guilty. Fine, \$25. (F. & D. No. 13942. I. S. No. 16653-r.)**

On January 17, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against John F. Javins and Francis H. Javins, trading as Charles H. Javins & Sons, at Washington, D. C., alleging that the said defendants did offer for sale and sell at the District aforesaid, on February 5, 1920, a quantity of oysters which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the oysters had been soaked with water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for oysters, which the article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, oyster solids, had been wholly or in part abstracted.

On January 17, 1921, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**9185. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 85 Dozen Bottles \* \* \* of Analostan Brand Distilled Spirit Vinegar and 8 Dozen Bottles \* \* \* of Analostan Brand High Grade Distilled White Vinegar. Default decrees of condemnation, forfeiture, and destruction. (F. & D. No. 13956. I. S. Nos. 8674-t, 8675-t. S. No. E-2889.)**

On November 24, 1920, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, libels for the seizure and condemnation of 85 dozen bottles, more or less, of Analostan Brand Distilled Spirit Vinegar, and 8 dozen bottles, more or less, of Analostan Brand High Grade Distilled White Vinegar, at Washington, D. C., alleging that the articles were being offered for sale and sold at the District aforesaid by Cornelius W. Davis, trading as C. W. Davis & Son, Washington, D. C., and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part, respectively, "Analostan Brand Distilled Spirit Vinegar Colored For Table and Pickling Use Bottled By C. W. Davis & Son, Washington, D. C. Contents 11 fluid ounces," or "Contents 8 fluid ounces. Analostan Brand High Grade Distilled White Vinegar \* \* \* Guaranteed by C. W. Davis under the Food and Drugs Act of June 30, 1906."

Adulteration of the articles was alleged in the libels for the reason that a substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect their quality and strength, and had been substituted wholly and in part for the articles, and for the further reason that a valuable constituent of the articles, to wit, acetic acid, had been wholly and in part abstracted therefrom.

Misbranding was alleged for the reason that the articles were labeled in part as follows, "Distilled Spirit Vinegar," or "Distilled White Vinegar \* \* \* Guaranteed by C. W. Davis under the Food and Drugs Act of June 30, 1906," as the case might be, which labelings were false and misleading and deceived and misled the purchaser by representing that the articles were vinegar, whereas, in truth and in fact, the articles were not vinegar, but were substances consisting in part of water, and for the further reason that the articles were imitations of, and were offered for sale under the distinctive name of, another article, to wit, vinegar.

On March 15, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9186. Adulteration and misbranding of cider vinegar. U. S. \* \* \* v. 5 Dozen Bottles and 29 Dozen Bottles \* \* \* of Alleged Cider Vinegar. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13976, 13977. I. S. Nos. 8676-t, 8677-t. S. No. E-2902.)**

On November 30, 1920, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, libels for the seizure and condemnation of 5 dozen bottles and 29 dozen bottles, more or less, of alleged cider vinegar, at Washington, D. C., alleging that the article had been offered for sale and sold at the District aforesaid, by C. W. Davis & Son, Washington, D. C., on or about August 26 and September 20, 1920, respectively, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, "Pure Cider Vinegar Made From The Juice of Fresh Apples 16 oz. C. W. Davis & Son, Washington, D. C."

Adulteration of the article was alleged in the libels for the reason that a substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in whole or in part for pure cider vinegar, which the article purported to be, and for the further reason that a valuable constituent of the article, to wit, acetic acid, had been wholly or in part abstracted.

Misbranding was alleged for the reason that the article was labeled, "Pure Cider Vinegar Made from the Juice of Fresh Apples," which labeling was false and misleading and deceived and misled the purchaser thereof by representing that the article was pure cider vinegar, made from the juice of fresh apples, whereas, in truth and in fact, the article was not pure cider vinegar, made from the juice of fresh apples, but was a substance deficient in acetic acid, and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, pure cider vinegar made from the juice of fresh apples.

On March 15, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9187. Adulteration and misbranding of alleged white vinegar. U. S. \* \* \* v. 11½ Dozen Bottles \* \* \* of Alleged White Vinegar. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13986. I. S. No. 8684-t. S. No. E-2908.)**

On December 3, 1920, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme



Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 11½ dozen bottles, more or less, of alleged white vinegar, at Washington, D. C., alleging that the article had been offered for sale and sold at the District aforesaid, by C. W. Davis & Son, Washington, D. C., on or about November 16, 1920, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Pure White Vinegar Made From Grain C. W. Davis & Son, Washington, D. C. \* \* \* 32 oz."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, excessive water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in whole or in part for white vinegar, which the article purported to be, and for the further reason that water had been mixed with the article in a manner whereby damage or inferiority had been concealed.

Misbranding of the article was alleged for the reason that it was labeled "Pure White Vinegar Made From Grain," which labeling was false and misleading and deceived and misled the purchaser by representing that the article was pure white vinegar made from grain, whereas, in truth and in fact, it was not, but was a substance deficient in acetic acid, and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, pure white vinegar made from grain.

On March 15, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9188. Misbranding of cider vinegar. U. S. \* \* \* v. 41 Dozen Bottles \* \* \* of Cider Vinegar. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 14206. I. S. No. 8693-t. S. No. E-3028.)

On January 18, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 41 dozen bottles, more or less, of cider vinegar, at Washington, D. C., alleging that the article had been offered for sale and sold at the District aforesaid, by C. W. Davis & Son, Washington, D. C., and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Pure Cider Vinegar Made From The Juice Of Fresh Apples 32 oz. C. W. Davis & Son, Washington, D. C. \* \* \*."

Misbranding of the article was alleged in the libel for the reason that the bottles containing the article were labeled "32 oz.," which labeling was false and misleading and deceived and misled the purchaser by representing that the bottles contained 32 ounces of the article, whereas, in truth and in fact, said bottles contained a less amount, and for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 15, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9189. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 38 Dozen Bottles, 5 Dozen Bottles, 36 Dozen Bottles, and 25 Dozen Bottles \* \* \* of Distilled Spirit Vinegar. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13994, 14060, 14061. I. S. Nos. 8685-t, 8681-t, 8682-t, 8683-t. S. Nos. E-2914, E-2906.)**

On December 4 and 13, 1920, the United States attorney for the District of Columbia, acting upon reports by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, libels for the seizure and condemnation of 38 dozen, 5 dozen, 36 dozen, and 25 dozen bottles, more or less, of distilled spirit vinegar, at Washington, D. C., alleging that the article had been offered for sale and sold at the District aforesaid, by C. W. Davis & Son, on or about November 3, September 11, July 1, and August 18, 1920, respectively, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Contains 8 Fluid Ozs." (or "11 Fluid Ozs.") "Analostan Brand Distilled Spirit Vinegar Colored For Table And Pickling Use Bottled By C. W. Davis & Son, \* \* \* Washington, D. C. \* \* \*."

Adulteration of the article was alleged in the libels for the reason that a substance, to wit, excessive water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in whole or in part for distilled vinegar, which the article purported to be, and for the further reason that the article had been mixed and colored in a manner whereby damage or inferiority had been concealed.

Misbranding was alleged for the reason that the article was labeled "Distilled Spirit Vinegar 8" (or "11") "fluid ounces," which labeling was false and misleading and deceived and misled the purchaser by representing that the article was distilled spirit vinegar, whereas, in truth and in fact, it was not, but was a substance deficient in acetic acid, for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, distilled spirit vinegar, and for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 15, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9190. Adulteration and misbranding of oil of sassafras, oil of birch, oil wintergreen, birch oil, and oil wintergreen leaf. U. S. \* \* \* v. James B. Johnson. Plea of guilty. Fine, \$250 and costs. (F. & D. Nos. 9240, 9668, 10123. I. S. Nos. 1135-p, 13611-r, 6401-r, 13603-r, 13607-r, 13639-r, 13642-r, 13640-r.)**

On March 12, 1919, and thereafter, the United States attorney for the Western District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district three informations against James B. Johnson, trading at Hickory, N. C., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, from the State of North Carolina, on or about October 27, 1917, and November 30, 1918, into the States of New York and New Jersey, respectively, of quantities of oil of sassafras, on or about July 24 and November 30, 1918, respectively, into the State of New Jersey, of quantities of birch oil or oil of birch, on or about July 13, 1918, into the State of Ohio, of a quantity of oil of birch, on or about July 13 and August 15, 1918, respectively, into the State of New York, of quantities of oil of wintergreen or oil wintergreen leaf, and on or about November 30, 1918,

into the State of New Jersey, of a quantity of oil of wintergreen, all of which were adulterated and misbranded.

Analyses of samples of the oil of sassafras by the Bureau of Chemistry of this department showed that it consisted of an oil from some source other than sassafras, probably from waste camphor oil. Analyses of samples of the remaining articles showed that they contained synthetic methyl salicylate.

Adulteration of the oil of sassafras was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the time of the investigation, in that said Pharmacopœia provided that oil of sassafras should be distilled from the root of sassafras, whereas the article was not distilled from the root of sassafras, and the standard of the strength, quality, and purity of the article was not plainly stated on the container thereof. Adulteration was alleged for the further reason that a substance, to wit, an imitation sassafras oil or a substance prepared from waste camphor oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in whole or in part for oil of sassafras, which the article purported to be.

Misbranding of the oil of sassafras was alleged in substance for the reason that it was a product prepared from waste camphor oil in imitation of oil of sassafras, and was offered for sale and sold under the distinctive name of another article, to wit, oil of sassafras.

Adulteration of the remaining articles was alleged for the reason that a substance, to wit, synthetic methyl salicylate, had been mixed and packed therewith so as to lower and reduce and injuriously affect their quality and strength, and had been substituted in part for oil of birch, oil of wintergreen, birch oil or oil wintergreen leaf, respectively, which the articles purported to be. Adulteration was alleged for the further reason that the articles were sold under and by names recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in the said Pharmacopœia, official at the time of the investigation, in that the articles consisted in part of synthetic methyl salicylate, derived from sources other than sweet birch, or wintergreen, as the case might be, whereas said Pharmacopœia provided that oil of birch, or birch oil, should consist exclusively of an oil derived from sweet birch, and that oil of wintergreen should be obtained from *Gaultheria procumbens*, and the standard of the strength, quality, and purity of the said article was not declared on the container thereof.

Misbranding of the articles considered as a food was alleged for the reason that said articles were products composed in part of synthetic methyl salicylate, derived from sources other than sweet birch or wintergreen, prepared in imitation of oil of sweet birch or oil of wintergreen, and were offered for sale and sold under the distinctive names of other articles, to wit, oil of birch or oil of wintergreen. Misbranding of the articles considered as drugs was alleged for the reason that they were products composed in part of synthetic methyl salicylate, derived from sources other than sweet birch or wintergreen, prepared in imitation of oil of sweet birch or oil of wintergreen, and were offered for sale and sold under the names of other articles, to wit, oil of birch or oil of wintergreen. Misbranding was alleged with respect to certain consignments for the reason that the statements, to wit, "4 cans oil birch," borne on one of the cans containing the articles, and "Oil of Wintergreen," or "2 cans Birch Oil," borne on the copies of express waybills attached to the cans containing the articles, regarding the articles and the ingredients and substances contained therein, were

false and misleading in that they represented that the articles consisted wholly of birch oil or oil of wintergreen, as the case might be, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they consisted wholly of birch oil or oil of wintergreen, as the case might be, whereas, in truth and in fact, the articles consisted in part of synthetic methyl salicylate, derived from sources other than sweet birch or wintergreen. Misbranding was alleged with respect to the consignments of oil of wintergreen of August 15, 1918, into New York, and of November 30, 1918, into New Jersey, respectively, for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On December 5, 1919, the three cases having been consolidated under one proceeding, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$250 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**9191. Misbranding of Leonardi's Injection No. 1. U. S. \* \* \* v. 2 Dozen Bottles of \* \* \* Leonardi's Injection No. 1. Default decree of destruction. (F. & D. No. 10543. I. S. No. 16503-r. S. No. E-1520.)**

On or about June 13, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on or about July 12, 1919, an amended libel, for the seizure and condemnation of 2 dozen bottles of Leonardi's Injection No. 1, at Jacksonville, Fla., consigned by S. B. Leonardi & Co., Inc., New York, N. Y., alleging that the article had been shipped on or about March 8, 1918, and transported from the State of New York into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Leonardi's Injection No. 1 \* \* \* For Gonorrhoea \* \* \* Prepared Only By S. B. Leonardi & Co., New York, N. Y.;" (carton) "Leonardi's Injection No. 1 \* \* \* Used in Gonorrhoea and Gleet \* \* \*;" (shipping container) "For Male or Female Injection Leonardi's Specific No. 1. A Safe Remedy for the Relief of Gonorrhoea and Gleet in 3 to 5 Days."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an alkaline solution of borax, camphor, and berberine.

It was alleged in substance in the libel, as amended, that the article was misbranded for the reason that the labels upon the shipping containers, cartons, and bottles containing the article bore the above-quoted statements, regarding the curative and therapeutic effect of said article, which falsely and fraudulently represented it to be effective as a treatment, remedy, or cure for gonorrhoea and gleet, whereas the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in said statements.

On February 5, 1921, no claimant having appeared for the property, judgment was entered finding the article to be subject to condemnation, and it was ordered by the court that the same be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9192. Misbranding of Brazilian Balm. U. S. \* \* \* v. 106 Dozen Bottles of \* \* \* Brazilian Balm. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12516. I. S. No. 14632-r. S. No. E-2034.)**

On or about March 19, 1920, 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 a libel for the seizure and condemnation of 106 dozen bottles of Brazilian Balm, remaining unsold in the original unbroken packages at Wilmington, Del., alleging that the article had been shipped by B. F. Jackson & Co., Arcade, N. Y., on October 13, November 15, December 5, and December 18, 1919, and February 9 and February 24, 1920, and transported from the State of New York into the State of Delaware, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle label) “\* \* \* Grip \* \* \* Croup, Sore Throat, Catarrh, Asthma, Inflammations and Fevers. \* \* \* Constipation and Piles. Inject for Female Troubles. \* \* \* swellings \* \* \*;” (circular) “\* \* \* Croup, Grip, Sore Throat, Bronchitis, Fevers, Cold in Chest or Back—for Asthma and Catarrh \* \* \* Grip And Pneumonia \* \* \* Hay Fever \* \* \* Systemic Catarrh \* \* \* Croup \* \* \* Sore Throat \* \* \* Earache \* \* \* Inflammation of Bowels—Bad Burns \* \* \* Quick Consumption \* \* \* Brazilian Balm is one of the best Antiseptic dressing for fresh wounds known to science. \* \* \* Contagious Diseases. \* \* \* diphtheria, scarlet fever or smallpox. \* \* \*.”

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of plant extractives including hydrastis, glycerin, sugar, alcohol, and water, flavored with methyl salicylate.

Misbranding of the article was alleged in substance in the libel for the reason that it contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it by the above-quoted language.

On February 5, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9193. Adulteration and misbranding of cottonseed cake. U. S. \* \* \* v. Imperial Cotto Sales Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 12350. I. S. No. 7019-r.)**

On August 6, 1920, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Imperial Cotto Sales Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about February 5, 1919, from the State of Mississippi, through the State of Illinois, into the State of Missouri, of a quantity of cottonseed cake which was adulterated and misbranded. The article was invoiced as “Nutsizes Cotton Seed Cake 41%.”

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 40.38 per cent of protein.

Adulteration of the article was alleged in the information for the reason that a cottonseed cake containing less than 41 per cent of protein had been substituted in whole or in part for cottonseed cake containing 41 per cent of protein, which the article purported to be.

Misbranding of the article was alleged for the reason that it was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On January 10, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**9194. Adulteration and misbranding of Samaco Brand extra fine macaroni.**  
U. S. \* \* \* v. Savarese Macaroni Co., a Corporation. Plea of *nolo contendere*. Fine, \$25 and costs. (F. & D. No. 12468. I. S. No. 17020-r.)

On March 2, 1921, 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 the Savarese Macaroni Co., a corporation, Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about May 21, 1919, from the State of Maryland into the State of New York, for reshipment to the island of Porto Rico, of a quantity of Samaco Brand extra fine macaroni which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was made from an inferior grade of flour and had been artificially colored with a coal-tar dye, naphthol yellow S.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, flour, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for macaroni, which the article purported to be. Adulteration was alleged for the further reason that the article was a product inferior to macaroni, to wit, a mixture composed in part of flour prepared in imitation of macaroni, and was colored with a coal-tar dye, to wit, naphthol yellow S, so as to simulate the appearance of macaroni, and in a manner whereby its inferiority to macaroni was concealed.

Misbranding was alleged for the reason that the statement, to wit, "Extra Fine Macaroni Gragnano Style," borne on the labels attached to the boxes containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was macaroni, to wit, a product made from semolina, that is to say, coarsely ground Durum wheat, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was macaroni, to wit, a product made from semolina, that is to say, coarsely ground Durum wheat, whereas, in truth and in fact, the article was not macaroni, but was a mixture prepared from flour artificially colored. Misbranding was alleged for the further reason that the article was a mixture prepared from flour artificially colored in imitation of macaroni, and was offered for sale and sold under the distinctive name of another article, to wit, macaroni, and for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 2, 1921, a plea of *nolo contendere* to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**9195. Misbranding of Daisy dairy feed. U. S. \* \* \* v. Sutherland Flour Mills Co., a Corporation. Plea of guilty. Fine, \$75 and costs. (F. & D. No. 12891. I. S. Nos. 7490-r, 10909-r, 11681-r.)**

On December 4, 1920, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Sutherland Flour Mills Co., a corporation, Cairo, Ill., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about February 13, February 19, and March 21, 1919, from the State of Illinois into the States of Texas, Kentucky, and Arkansas, respectively, of quantities of Daisy dairy feed which was misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

	Texas consign- ment.	Kentucky consign- ment.	Arkansas consign- ment.
	<i>Per cent.</i>	<i>Per cent.</i>	<i>Per cent.</i>
Moisture.....	13.18	14.63	17.98
Fat.....	1.65	-----	1.34
Crude fiber.....	16.31	17.04	14.46
Protein.....	8.53	10.30	8.06

The Kentucky consignment consisted of alfalfa, wheat bran, and a few ground weed seeds, with no evidence of the presence of a corn or an oat product. The Arkansas consignment consisted essentially of wheat screenings and alfalfa meal, and contained a small amount of wheat bran and oat hulls, but no corn. All consignments were below the guarantee in protein and fat, and above in crude fiber.

Misbranding of the article was alleged in substance in the information for the reason that the following statements, to wit, "Guaranteed Analysis: Protein 13.25 per cent, Fat 3.50 per cent, Fibre 12.50 per cent," with respect to the Texas and Arkansas consignments, the statement, "Dairy Feed Made from Ground Corn," with respect to the Arkansas consignment, and the statements, "Guaranteed Analysis Protein 13.25 per cent \* \* \* Fiber 12.50 per cent; Made From: \* \* \* Ground Corn \* \* \* (Oat Middlings, Oat Shorts and Oat Hulls) \* \* \*," with respect to the Kentucky consignment, borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading and deceived and misled the purchaser in that they represented that the Texas and Arkansas consignments contained not less than 13.25 per cent of protein and 3.50 per cent of fat, and not more than 12.50 per cent of fiber, that the Arkansas consignment was dairy feed made in part from ground corn, and that the Kentucky consignment contained not less than 13.25 per cent of protein and not more than 12.50 per cent of fiber, and that it contained ground corn, oat middlings, oat shorts, and oat hulls, whereas, in truth and in fact, the Texas and Arkansas consignments contained less protein and fat and more fiber than declared, that is to say, the Texas consignment contained approximately 8.53 per cent of protein, 1.65 per cent of fat, and 16.31 per cent of fiber, and the Arkansas consignment contained approximately 8.06 per cent of protein, 1.34 per cent of fat, and 14.46 per cent of fiber, and contained no ground corn, and the Kentucky consignment contained less than 13.25 per cent of protein and more

than 12.50 per cent of fiber, and said article contained no ground corn, oat middlings, oat shorts, or oat hulls.

On January 4, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$75 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**9196. Adulteration and misbranding of wheat shorts. U. S. \* \* \* v. Sutherland Flour Mills Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 13230. I. S. Nos. 11151-r, 16574-r.)**

On November 19, 1920, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Sutherland Flour Mills Co., a corporation, Cairo, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about August 25 and 26, 1919, from the State of Illinois into the States of Florida and Mississippi, respectively, of quantities of alleged wheat shorts which were adulterated and misbranded. The article was labeled in part, "Wheat Shorts From Wheat Products And Ground Screenings \* \* \* Manufactured By Sutherland Flour Mills Company, Cairo, Ill."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it was a mixture of flour, reground wheat bran, and screenings.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, reground bran, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for wheat shorts, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Wheat Shorts," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article consisted wholly of wheat shorts, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of wheat shorts, whereas, in truth and in fact, it did not so consist, but did consist in large part of reground bran. Misbranding was alleged for the further reason that the article was a mixture composed in large part of reground bran prepared in imitation of wheat shorts, and was offered for sale and sold under the distinctive name of another article, to wit, wheat shorts.

On January 4, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**9197. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 23½ Dozen Bottles \* \* \* of \* \* \* Vinegar. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13867. I. S. No. 8658-t. S. No. E-2879.)**

On November 18, 1920, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 23½ dozen bottles, more or less, of vinegar, at Washington, D. C., alleging that the article had been offered for sale and sold at the District aforesaid by C. W. Davis & Son, Washington, D. C., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Pure Cider Vinegar. Made From The Juice Of Fresh Apples 16 oz. C. W. Davis & Son, Washington, D. C."



Adulteration of the article was alleged in the libel for the reason that certain substances, to wit, water and partially fermented apple juice, had been mixed and packed therewith so as to reduce and lower its quality and strength, and in that a substance deficient in acid strength had been substituted wholly and in part for the article.

Misbranding was alleged for the reason that the bottles containing the article were labeled in part, "Pure Cider Vinegar Made From The Juice Of Fresh Apples," and bore a design showing a whole apple, which labeling was false and misleading and deceived and misled the purchaser by representing that the article was vinegar, whereas, in truth and in fact, it was not vinegar, but was a substance consisting in part of water and partially fermented apple juice, and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, vinegar.

On March 15, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

9198. **Misbranding of cottonseed meal and cake. U. S. \* \* \* v. Commonwealth Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$100.** (F. & D. No. 13907. I. S. Nos. 12024-r, 18824-r.)

On January 11, 1921, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Commonwealth Cotton Oil Co., a corporation, Cushing, Okla., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 17 and 26, 1920, respectively, from the State of Oklahoma into the State of Kansas, of quantities of cottonseed meal and cottonseed cake which were misbranded. The articles were labeled in part, "Gold Medal—43 Per Cent \* \* \* Cottonseed Meal or Cake \* \* \* Commonwealth Cotton Oil Co. Cushing, Oklahoma."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the cottonseed meal contained 14.85 per cent of crude fiber, 5.94 per cent of total nitrogen, and 37.13 per cent of crude protein, and that the cottonseed cake contained 12.22 per cent of crude fiber, 6.54 per cent of total nitrogen, and 40.92 per cent of crude protein.

Misbranding of the articles was alleged in the information for the reason that the statement, "Guaranteed Analysis: Crude Protein 43 per cent or better. \* \* \* Crude Fibre 12 per cent. (Max.)," borne on the tags attached to the sacks containing the articles, regarding them and the ingredients and substances contained therein, was false and misleading in that it represented that the articles contained not less than 43 per cent of crude protein and not more than 12 per cent of crude fiber, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they contained not less than 43 per cent of crude protein and not more than 12 per cent of crude fiber, whereas, in truth and in fact, said articles contained less than 43 per cent of crude protein and more than 12 per cent of crude fiber; that is to say, the cottonseed meal contained 37.13 per cent of crude protein and 14.85 per cent of crude fiber, and the cottonseed cake contained 40.92 per cent of crude protein and 12.22 per cent of crude fiber.

On March 12, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

**9199. Adulteration of evaporated apple pomace. U. S. \* \* \* v. 1,100 Bags \* \* \* of Evaporated Apple Pomace. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 14034. I. S. No. 4154-t. S. No. C-2621.)

On December 17, 1920, 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 for the seizure and condemnation of 1,100 bags, more or less, of evaporated apple pomace, at Chicago, Ill., alleging that the article had been shipped by C. F. Hollwedel, Honeoye Falls, N. Y., on June 21, 1920, and transported from the State of New York into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it had been sold and shipped as evaporated apple pomace, whereas it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On March 14, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9200. Adulteration of ketchup. U. S. \* \* \* v. 268 Cases \* \* \* of Crubro Tomato Ketchup. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12969. I. S. No. 11034-r. S. No. C-1997.)

On June 25, 1920, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 268 cases, more or less, of Crubro Tomato Ketchup, at Battle Creek, Mich., alleging that the article had been shipped by the Cruikshank Bros. Co., Pittsburgh, Pa., on October 23, 1918, and transported from the State of Pennsylvania into the State of Michigan, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Case) "Crubro Tomato Ketchup Cruikshank Bros. Co., Pittsburgh, U. S. A. Eight ounces net weight Absolutely Pure Food Products Guaranteed By Cruikshank Bros. Co. To Meet Requirements Of All Federal And State Pure Food Laws;" (bottle) "Crubro Tomato Ketchup Made From Fresh Ripe Tomatoes, Pure Spices, Granulated Sugar, Vinegar and Salt. Not Artificially Preserved Or Colored."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, to wit, decomposed and rotten tomatoes.

On August 17, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

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# United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

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## SERVICE AND REGULATORY ANNOUNCEMENTS.

### SUPPLEMENT.

N. J. 9201-9250.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., July 25, 1921.]

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#### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**9201. Adulteration and misbranding of concentrated sweetener. U. S. \* \* \* v. 3 Cans of Wood's Special Concentrated Sweetener. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12978. I. S. No. 9876-r. S. No. C-2003.)**

On June 30, 1920, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 cans of Wood's Special Concentrated Sweetener, at Highland Park (Detroit), Mich., alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., and transported from the State of Missouri into the State of Michigan, arriving at Detroit on June 26, 1920, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Wood's Special Concentrated Sweetener 500—500 Soluble in Cold Water. Five Pounds Net. Not sold as a drug. W. B. Wood Manufacturing Company, St. Louis, Mo."

Adulteration of the article was alleged in the libel for the reason that an imitation product, to wit, saccharin, had been substituted in part for a food sweetener, and for the further reason that the article contained an ingredient, to wit, saccharin, which is deleterious and which rendered said article injurious to health.

Misbranding was alleged in substance for the reason that the article was sold under the distinctive name of "Sweetener," that is, a natural food sweetener, whereas, in truth and in fact, said article was not a natural food sweetener, but was composed of a mixture of sugar and sodium salt of saccharin, and for the further reason that the statement, "Special Concentrated Sweetener 500," was false and misleading in that it represented said article as being 500 times sweeter than sugar, whereas, in truth and in fact, it was not.

On January 26, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9202. Misbranding of Dr. Martel's Female Pills. U. S. \* \* \* v. 11 Packages of Dr. Martel's Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13559. I. S. No. 5116-t. S. No. E-2637.)**

On August 26, 1920, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11 packages of Dr. Martel's Female Pills, remaining unsold in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped by the Block Drug Co., New York, N. Y., on or about October 29, 1919, and transported from the State of New York into the State of Connecticut, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the tablets consisted essentially of oil of savin and ferrous sulphate and carbonate.

Misbranding of the article was alleged in substance in the libel for the reason that the box label and an inclosed circular bore the following statements regarding the therapeutic and curative effects of said article, to wit, (box label) " \* \* \* Female Pills \* \* \* For Amenorrhoea (Suppression Of the Menses) Dysmenorrhoea (Painful Menstruation) And Similar Functional Derangements," (circular) " \* \* \* Female Pills \* \* \* For Disturbances of the Menstrual Functions. \* \* \* For Amenorrhoea (Suppression of the Menses \* \* \*) \* \* \* treatment \* \* \* should be continued until relief is obtained. For Dysmenorrhoea (Painful or Scanty Menstruation) \* \* \* our medicine will be found to give lasting benefit and genuine relief. To prevent difficult, painful, over-profuse and other morbid menstrual conditions, and keep this important function normal, take \* \* \* for a few days before the expected reappearance of the menstrual flow," which statements were false, fraudulent, and misleading, and were applied to said article so as to represent falsely and fraudulently to purchasers thereof, and create in the minds of purchasers thereof the impression and belief that the article was composed of, or contained, ingredients or medicinal agents effective as a remedy for certain diseases, to wit, dysmenorrhoea, amenorrhoea, etc., when, in truth and in fact, it did not contain ingredients effective for the purposes named.

On October 26, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9203. Misbranding of Hooper's Female Pills. U. S. \* \* \* v. 1 Dozen and ½ Dozen Packages of Hooper's Female Pills \* \* \*. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13588. I. S. Nos. 6320-t, 6321-t. S. No. E-2640.)**

On August 26, 1920, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 dozen and ½ dozen packages of Hooper's Female Pills, remaining unsold in the original unbroken packages at Waterbury, Conn., alleging that the article had been shipped by the Horace B. Taylor Co., Philadelphia, Pa., on or about February 27, 1920, and transported from the State of Pennsylvania into the State of Connecticut, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes and ferrous sulphate.

Misbranding of the article was alleged in substance in the libel for the reason that the circular and wrapper accompanying each of the packages of said article bore the following statements regarding its therapeutic and curative effects, to wit, (circular) "Female Pills \* \* \* a safe and sovereign remedy in female complaints, \* \* \* an Emmenagogue in producing Menstruation. \* \* \* for the removal of irregularities. \* \* \* are used \* \* \* (except in cases of pregnancy) \* \* \*," (wrapper) " \* \* \* opening obstructions of the vessels \* \* \* cure of disorders peculiarly incident to the Female Sex, \* \* \* remedy against those general complaints the Female Sex are subject to: \* \* \* cleanse, purify, and cause a free circulation of the blood, \* \* \* open those obstructions which Virgins are liable to, \* \* \* best \* \* \* for \* \* \* the irregularities, \* \* \* for the palpitation of the heart, giddiness, loathing of food, bad digestion, pains of the stomach, heating of the arteries of the neck, short breath \* \* \* scurvy \* \* \* should be taken by all women at age of forty-five \* \* \* to prevent those disorders which usually attend them at that time. \* \* \* sovereign remedy \* \* \* in all hypochondriac, hysterick, or vapourish disorders, \* \* \* strengthen the nerves, \* \* \* for \* \* \* obstruction of \* \* \* courses, \* \* \* continue their use until the end is answered \* \* \*," which statements were false, fraudulent, and misleading, and were applied to said article knowingly, so as to represent falsely and fraudulently and create in the minds of purchasers thereof the impression and belief that the article was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective as a remedy for female complaints, palpitation of the heart, giddiness, loathing for food, bad digestion, scurvy, short breath, etc., when, in truth and in fact, it did not contain ingredients effective for the purposes named.

On October 28, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9204. Misbranding of Palmo Tablets. U. S. \* \* \* v. 27 Packages of Palmo Tablets. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13644. I. S. No. 3871-t. S. No. C-2479.)

On September 4, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 27 packages of Palmo Tablets, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the McCullough Drug Co., Lawrenceburg, Ind., on or about February 10, 1920, and transported from the State of Indiana into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) " \* \* \* remedy for many Nervous Disorders \* \* \* irritability, weakness, depression, etc. \* \* \* for men or women who are run-down generally and who lack energy or ambition;" (circular) " \* \* \* No one can attain \* \* \* success \* \* \* without an abundance of vitality or nerve force \* \* \* excesses of the usual kind \* \* \* may bring about this condition. \* \* \* we have \* \* \* reliable treatment for just such cases. \* \* \* Palmo Tablets re-animate and revitalize. \* \* \* Nervous Exhaustion or Debility, Depression or Despondency, Irritability, Fretfulness, Fidgets, Lack of Tone \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of plant extractives,

including damiana and nux vomica, iron phosphate, and a small amount of phosphorus.

It was alleged in substance in the libel that the article was misbranded, in violation of section 8 of the aforesaid Act of Congress, in that the above-quoted statements regarding the curative and therapeutic effects of said article were false and fraudulent.

On February 14, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9205. Misbranding of Madame Dean Female Pills. U. S. \* \* \* v. 11 Packages of \* \* \* Madame Dean Female Pills (Special Strength). Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13654. I. S. No. 7584-t. S. No. E-2473.)**

On or about September 9, 1920, 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 a libel for the seizure and condemnation of 11 packages of Madame Dean Female Pills (Special Strength), remaining unsold in the original unbroken packages at Wilmington, Del., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on or about July 30, 1920, and transported from the State of Pennsylvania into the State of Delaware, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Booklet) " \* \* \* irregular, prolonged, or suppressed menstruation. \* \* \* Female Pills afford relief for these ailments. \* \* \* a remedy intended solely for the relief of Amenorrhoea, Dysmenorrhoea, scanty and irregular menstruation, and other derangements of the reproductive system, \* \* \* especially valuable in the functional changes \* \* \* of the menopause or change of life. \* \* \* Act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation, and assist in re-establishing or restoring, the menstrual or monthly periods \* \* \* strengthen and build up the uterine function;" (label and wrapper) "Female Pills \* \* \* give relief in Female Disorders of the menstrual functions \* \* \* for Painful, Irregular and Scanty Menstruation."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of quinine, aloes, ferrous sulphate, cornstarch, senecio flowers and herb, and ginger root.

Misbranding of the article was alleged in substance in the libel for the reason that it contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it by the above-mentioned language.

On February 5, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9206. Adulteration of canned cherries. U. S. \* \* \* v. 107 Cans of Golden Eagle Brand Cherries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13859. I. S. No. 5818-t. S. No. E-2867.)**

On November 15, 1920, 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 a libel for the seizure and condemnation of 107 cans of Golden Eagle Brand cherries, at Auburn, N. Y.,



alleging that the article had been shipped by the International Import & Export Co., Boston, Mass., on or about July 14, 1920, and transported from the State of Massachusetts into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On February 28, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9207. Adulteration and misbranding of rubbed sage. U. S. \* \* \* v. 5 Barrels of \* \* \* Rubbed Sage. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13979. I. S. No. 6467-t. S. No. E-2905.)**

On November 30, 1920, 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 for the seizure and condemnation of 5 barrels of rubbed sage, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Sperry & Barnes Co., New Haven, Conn., on or about October 29, 1920, and transported from the State of Connecticut into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that substances, to wit, mineral matter and sand, had been mixed and packed with and substituted in part for the article.

Misbranding was alleged for the reason that the label bore a statement regarding the article and the ingredients and substances contained therein, to wit, "Rubbed Sage," which was false and misleading and deceived and misled the purchaser, for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, and for the further 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 March 3, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9208. Adulteration of tomato catsup. U. S. \* \* \* v. 16 Dozen \* \* \* Bottles and 44 Cases \* \* \* of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14000. I. S. Nos. 6354-t, 6355-t. S. No. E-2909.)**

On December 8, 1920, 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 for the seizure and condemnation of 16 dozen 15-ounce bottles and 44 cases, each containing 3 dozen 8-ounce bottles, of tomato catsup, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Cruikshank Bros. Co., Pittsburgh, Pa., on or about November 4, 1920, and transported from the State of Pennsylvania into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "\* \* \* Cruikshank \* \* \* Tomato Ketchup Made From Fresh Ripe Tomatoes, Pure Spices, Granulated Sugar, Vinegar And Salt. Not

Artificially Preserved Or Colored Prepared And Guaranteed By Cruikshank Bros. Co. Pittsburgh U. S. A. \* \* \* Cruikshank Brothers Co. Union Pickling And Preserving Works Pittsburgh, Pa. Guaranteed By Cruikshank Bros. Co. To Meet Requirements Of All Federal And State Pure Food Laws."

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

On March 3, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9209. Adulteration of tomato ketchup. U. S. \* \* \* v. 48 Cases of Tomato Ketchup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14443. I. S. No. 6367-t. S. No. E-3114.)**

On February 11, 1921, 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 for the seizure and condemnation of 48 cases of tomato ketchup, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Cruikshank Bros. Co., Pittsburgh, Pa., on or about January 15, 1921, and transported from the State of Pennsylvania into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Cruikshank's Highest \* \* \* Grade \* \* \* Tomato Ketchup \* \* \* Net Wt. 6 lbs. 13 oz. \* \* \* Cruikshank Bros. Co. Pittsburgh, U. S. A."

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

On March 15, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9210. Adulteration and misbranding of nitroglycerin tablets. U. S. \* \* \* v. P. T. Probst Co., a Corporation. Plea of guilty. Fine, \$290. (F. & D. No. 12370. I. S. No. 13533-r.)**

On August 26, 1920, the United States attorney for the Western 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 an information against the P. T. Probst Co., a corporation, Rochester, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 4, 1919, from the State of New York into the State of New Jersey, of a quantity of nitroglycerin tablets which were adulterated and misbranded. The article was labeled in part: "5000 Tablet Triturate No. 600 Nitroglycerin  $\frac{1}{100}$  Gr. \* \* \* P. T. Probst Company, Chemist to Medical Profession Rochester, N. Y."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained approximately  $\frac{6}{1000}$  grain of nitroglycerin per tablet.

Adulteration of the article was alleged in the information for the reason that its strength and purity fell below the professed standard and quality under which it was sold in that it was sold as tablet triturate nitroglycerin  $\frac{1}{100}$  grain, to wit, a product which contained  $\frac{1}{100}$  grain of nitroglycerin per tablet, whereas, in truth and in fact, it was not, but was a product which contained less than  $\frac{1}{100}$  grain of nitroglycerin per tablet.

Misbranding was alleged for the reason that the statement, to wit, "Tablet Triturate Nitroglycerin  $\frac{1}{100}$  Gr.," borne on the labels attached to the bottles

containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that said tablets each contained  $\frac{1}{100}$  grain of nitroglycerin, whereas, in truth and in fact, each of said tablets did not contain  $\frac{1}{100}$  grain of nitroglycerin, but did contain a less amount.

On December 21, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$300.

E. D. BALL, *Acting Secretary of Agriculture.*

**9211. Misbranding of Man's Capsules. U. S. \* \* \* v. 24 Boxes of Man's Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12428. I. S. No. 170-r. S. No. E-2086.)**

On May 26, 1920, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 boxes of Man's Capsules, at Wilmington, N. C., alleging that the article had been shipped by the Man's Capsule Co., Washington, D. C., on or about April 9, 1920, and transported from the District of Columbia into the State of North Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Pink box) "\* \* \* Man's Capsules A prompt and reliable remedy for Gonorrhoea and Gleet \* \* \*;" (blue box) "\* \* \* Prompt and reliable remedy for Gonorrhoea and Gleet \* \* \* For All Inflammations Of The Urinary Organs, Kidneys, Bladder, Etc.;" (circular inclosed in both boxes) "Take two capsules three (3) times a day, about two (2) hours after each meal, till cured \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted essentially of powdered cubeba and copaiba.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements were false and fraudulent, and were made for the purpose of deception and in reckless disregard of their truth or falsity so as to represent falsely to purchasers thereof that the article was fit for the purposes for which it was recommended, when, in truth and in fact, it contained no ingredient or combination of ingredients capable of producing the effect claimed.

On December 17, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9212. Adulteration and misbranding of butter. U. S. \* \* \* v. 180 Pounds of Butter. Judgment by consent ordering release of product under bond. (F. & D. No. 12702. I. S. No. 349-r. S. No. E-2218.)**

On May 26, 1920, the United States attorney for the District of New Hampshire, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 180 pounds of butter, at Manchester, N. H., alleging that the article had been shipped by the South Peacham Co-Operative Creamery Co., Barnet, Vt., on or about May 4, 1920, and transported from the State of Vermont into the State of New Hampshire, 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 an excessive amount of moisture had been mixed and packed with and substituted wholly or in part for butter, and for the further reason that a valuable constituent, to wit, milk fat, had been abstracted [in part] from said article.

Misbranding was alleged in substance for the reason that the article purported to be butter and was offered for sale as such, whereas it was an imitation thereof.

On June 26, 1920, the South Peacham Co-Operative Creamery Co. having entered an appearance as claimant for the product, and having executed a bond in the sum of \$300 and paid the costs of the proceedings, in conformity with section 10 of the act, judgment was entered providing for the release of the product to said claimant, conditioned in part that the article be so branded as to show compliance with the provisions of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**9213. Adulteration and misbranding of tomatoes. U. S. \* \* \* v. Winfield Webster and Guy L. Webster (Winfield Webster and Co.). Pleas of nolo contendere. Fine, \$20 and costs. (F. & D. No. 12795. I. S. Nos. 7350-r, 15943-r.)**

On March 31, 1921, 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 Winfield Webster and Guy L. Webster, trading as Winfield Webster & Co., Vienna, Md., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about September 4 and 5, 1919, respectively, from the State of Maryland into the States of Pennsylvania and Tennessee, respectively, of quantities of canned tomatoes which were adulterated and misbranded. The article was labeled in part: "Blue Dot Brand" (picture of tomato) "\* \* \* Packed by Winfield Webster & Co. Main Office: Vienna, Md."

Analyses of samples from both consignments of the article by the Bureau of Chemistry of this department showed the presence of added tomato pulp.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, tomato pulp, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for tomatoes, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Tomatoes," borne on the labels attached to the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that said article consisted wholly of tomatoes, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of tomatoes, whereas, in truth and in fact, said article did not consist wholly of tomatoes, but did consist in part of tomato pulp.

On March 31, 1921, the defendants entered pleas of nolo contendere to the information, and the court imposed a fine of \$20 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**9214. Adulteration of shell eggs. U. S. \* \* \* v. Olof Hildre (Dahlen Mercantile Co.). Plea of guilty. Fine, \$25. (F. & D. No. 12798. I. S. No. 18786-r.)**

On August 8, 1920, the United States attorney for the District of North Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Olof Hildre, trading as the Dahlen Mercantile Co., Dahlen, N. D., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 31, 1919, from the State of North Dakota into the State of Minnesota, of a quantity of shell eggs which were adulterated.

Examination of 540 eggs from the consignment by the Bureau of Chemistry of this department showed 261 mixed or white rots, 114 moldy eggs, and 2 blood rings, or approximately 69 per cent inedible eggs.

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

On March 12, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**9215. Misbranding of Gauvin's Cough Syrup. U. S. \* \* \* v. 3 Dozen Bottles, 67 Bottles, and 67 Bottles of Gauvin's Cough Syrup. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 12832, 12833, 12834. I. S. Nos. 455-r, 457-r, 461-r. S. Nos. E-2320, E-2321, E-2322.)**

On June 12, 1920, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 3 dozen bottles, 67 bottles, and 67 bottles of Gauvin's Cough Syrup, remaining unsold in the original unbroken packages at Putnam, Moosup, and Danielson, Conn., respectively, alleging that the article had been shipped by J. A. E. Gauvin, Lowell, Mass., in part on or about August 7, 1919, and in part on or about August 8, 1919, and transported from the State of Massachusetts into the State of Connecticut, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of the extractives of wild cherry bark and spruce gum, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the bottle and carton labels and an accompanying circular bore, among others, the following statements regarding its therapeutic and curative effects, to wit, (bottle) " \* \* \* For \* \* \* 'La Grippe,' Whooping-Cough & all affections of the Throat & Lungs. \* \* \*," (carton, English and French) " \* \* \* Recommended For \* \* \* 'la Grippe,' Whooping Cough and all Throat and Pulmonary Diseases. \* \* \* for all Diseases of the Respiratory Organs," (circular, English and French) " \* \* \* the greatest possibilities of a radical cure. \* \* \* highly recommended for all Affections Of The Respiratory Organs. \* \* \* its persistent use produces a beneficent relief in serious as well as desperate cases. \* \* \* a remedy for all Affections of the Respiratory Organs: Throat, Bronchial Tubes and Lungs. \* \* \* the use of Gauvin's Syrup in the treatment of more severe cases of \* \* \* Catarrh, as well as Asthma, Whooping-Cough, La Grippe, Hoarseness and Influenza have proved conclusively the efficacy of this remedy. \* \* \* especially appropriate for the treatment of pulmonary diseases, because it constitutes the best antiseptic combination to check the progress of microbes in the respiratory organs, \* \* \* it will relieve the worst cases. \* \* \*," which statements were false, fraudulent, and misleading, and were applied to said article so as to represent falsely and fraudulently, and to create in the minds of purchasers thereof the impression and belief, that the article was composed of or contained ingredients or medicinal agents effective as a remedy for la grippe, whooping cough, catarrh, asthma, influenza, etc., when, in truth and in fact, it did not contain ingredients effective for the purposes named.

On September 15, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9216. Misbranding of cider vinegar. U. S. \* \* \* v. 226 Barrels of Cider Vinegar. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 13048. I. S. Nos. 14526-r, 14527-r, 14528-r. S. No. E-2422.)**

On July 15, 1920, the United States attorney for the Western 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, and on February 14, 1921, an amended libel, for the seizure and condemnation of 226 barrels of cider vinegar, consigned by the Waynesboro Vinegar Co., Inc., Waynesboro, Va., remaining unsold in the original unbroken packages at Corning, N. Y., alleging that the article had been shipped on or about April 7, 22, and 26, 1920, respectively, and transported from the State of Virginia into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in the libel, as amended, for the reason that said article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of said packages.

On February 23, 1921, the Waynesboro Vinegar Co., Inc., Waynesboro, Va., claimant, having consented to a decree, executed a bond in the sum of \$10,000, and paid the costs of the proceedings, in conformity with section 10 of the act, an amended decree was entered ordering that the condemnation and forfeiture of the article and its release under bond provided by the previous decree be continued in full force and effect, said amended decree being conditioned in part that the barrels containing the article be relabeled under the supervision of this department, so as to show the true quantity of the vinegar contained therein.

E. D. BALL, *Acting Secretary of Agriculture.*

**9217. Misbranding of Hall's Texas Wonder. U. S. \* \* \* v. 3 Dozen Bottles \* \* \* of Hall's Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13098. I. S. No. 3905-t. S. No. C-2049.)**

On July 26, 1920, the United States attorney for the Southern 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 for the seizure and condemnation of 3 dozen bottles, more or less, of Hall's Texas Wonder, remaining in the original unbroken packages at Peoria, Ill., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., on or about July 14, 1920, and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Recommended For Kidney and Bladder Troubles When Operation Not Required Weak or Lame Backs Rheumatism, Gravel and Bladder Troubles in Children;" (small circular headed "Read Carefully") "\* \* \* In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements, regarding the curative and therapeutic effect, were

false and fraudulent, as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 12, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9218. Adulteration of Crubro tomato ketchup. U. S. \* \* \* v. 49 Cases of Crubro Tomato Ketchup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13123. I. S. No. 8288-r. S. No. C-2064.)**

On August 13, 1920, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 49 cases of Crubro tomato ketchup, remaining unsold in the original unbroken packages at Battle Creek, Mich., alleging that the article had been shipped by Cruikshank Bros. Co., Pittsburgh, Pa., on October 23, 1918, and transported from the State of Pennsylvania into the State of Michigan, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Crubro Tomato Ketchup \* \* \* Absolutely Pure Food Products Guaranteed By Cruikshank Bros. Co. To Meet All Requirements Of All Federal And State Pure Food Laws. \* \* \*."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, to wit, decomposed and rotten tomatoes.

On January 26, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9219. Misbranding of Madame Dean Female Pills. U. S. \* \* \* v. 25 Packages of Madame Dean Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13310. I. S. Nos. 3862-t, 3863-t. S. No. C-2379.)**

On August 24, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 packages of Madame Dean Female Pills, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on or about August 18, 1919, and transported from the State of Pennsylvania into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. A portion of the article was labeled in part: (Box) "Madame Dean Female Pills (Single)." The remainder of the article was labeled in part: (Box) "Madame Dean Female Pills (Special Strength)." The entire consignment was further labeled in part: (Box) "Female Pills \* \* \* give relief in Female Disorders of the menstrual functions, \* \* \* for Painful, irregular and Scanty Menstruation;" (booklet) "\* \* \* irregular, prolonged, or suppressed menstruation. \* \* \* Female Pills afford relief for these ailments. \* \* \* a remedy intended solely for the relief of Amenorrhoea, Dysmenorrhoea, scanty and irregular menstruation, and other derangements of the reproductive system, \* \* \* especially valuable in the functional changes \* \* \* of the menopause or change of life. \* \* \* Act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstria-

tion, and assist in re-establishing or restoring, the menstrual or monthly periods. \* \* \* strengthen and build up the uterine function;" (circular) " \* \* \* a great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel \* \* \* for irregular, painful, scanty or suppressed menstruations, \* \* \* should be taken \* \* \* to assist nature with \* \* \* disorders \* \* \* during the change of life period. \* \* \* great relief from Pains or Headache; \* \* \* for suppressed Menstruation, \* \* \* continue their use until relieved. \* \* \* take \* \* \* until the menstrual flow commences again."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the single-strength pills consisted essentially of quinine, aloes, ferrous sulphate, hydrastis, ginger, and cornstarch, and that the special-strength pills consisted essentially of quinine, aloes, ferrous sulphate, senecio flowers and herb, ginger, and cornstarch.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements, regarding its curative and therapeutic effects, were false and fraudulent.

On February 14, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9220. Misbranding of Aspironal. U. S. \* \* \* v. 1½ Gross Bottles of \* \* \* Aspironal. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10075. I. S. No. 16173-r. S. No. E-1313.)**

On or about April 23, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1½ gross bottles of Aspironal, at Tampa, Fla., consigned by the Aspironal Laboratories, Atlanta, Ga., alleging that the article had been shipped from Atlanta, Ga., on or about February 18, 1919, and transported from the State of Georgia into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottles) "Aspironal For Colds Coughs For LaGrippe Contains 10% Alcohol \* \* \* For The Treatment Of Colds, Coughs due to Colds, LaGrippe, Headaches Neuralgia and Rheumatism \* \* \* Prepared Only By Aspironal Laboratories, Atlanta, Georgia;" (circular) "Aspironal The Liquid Cold Remedy \* \* \* for the treatment of Colds, Coughs due to Colds, La Grippe, Headaches, Neuralgia, Rheumatism. \* \* \* For Influenza \* \* \* to prevent Influenza."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a liquid composed essentially of sugar, alcohol, and water, and small amounts of sodium salicylate, camphor, menthol, cascara, and mydriatic alkaloids.

Misbranding of the article was alleged in substance in the libel for the reason that the bottle label and the circular, inclosed within the wrapper containing the bottle, contained the above-quoted statements, regarding the curative and therapeutic effect of said article, which were false, fraudulent, and misleading in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed. Misbranding was alleged for the further reason that the bottles failed to bear a statement of the labels of the quantity or percentage of alcohol contained therein.



On March 12, 1921, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9221. Adulteration and misbranding of olive oil. U. S. \* \* \* v. 11 Cases \* \* \* of Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10158. I. S. Nos. 7095-r, 7096-r, 7097-r, 7098-r. S. No. C-1199.)**

On May 1, 1919, 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 for the seizure and condemnation of 11 cases, more or less, of olive oil, at Chicago, Ill., alleging that the article had been shipped by the M. La Rossa Co., Indianapolis, Ind., on March 20, 1919, and transported from the State of Indiana into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (70 half-gallon cans) "Extra Quality Olive Oil  $\frac{1}{2}$  Gl. F. Arrigo, Termini Imerese Italia Sicilia" (picture of olive gathering scene); (60 gallon cans) "Termini Imerese Brand Olive Oil One Gallon Imported & Packed By B. Colombo Italy Sicily;" (26 gallon cans) "Extra Quality Olive Oil B. Di Salvo Bagheria Italia Sicilia;" (4 half-gallon cans) "Termini Imerese Finest Quality Olive Oil Contents  $\frac{1}{2}$  Gallon Giacomo Orlandi Termini Imerese Italia Sicilia."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been substituted in part for the article.

Misbranding was alleged for the reason that each of the cans filled with the article was labeled, to wit, "Olive Oil," which statement was false and misleading in that it purported to set forth that the article consisted of genuine olive oil, and for the further reason that said statement deceived and misled the purchaser into the belief that the article consisted of genuine olive oil, whereas, in truth and in fact, it consisted in part of cottonseed oil. Misbranding was alleged for the further reason that the above-quoted statements, together with the designs and devices appearing upon each of the labels borne by the said cans, conveyed the impression that said article was a foreign product, whereas, in truth and in fact, it was a product of domestic manufacture, for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, genuine olive oil, and for the further reason that it was food in package form, and the quantity of the contents of each of the said cans was not plainly and conspicuously marked on the outside of the package in terms of weight or measure.

On March 9, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9222. Misbranding of "3 Days" Cure. U. S. \* \* \* v. 2 Dozen Packages Containing Bottles of Liquid and Loose Capsules Labeled "3 Days' Cure." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10223. I. S. No. 10342-r. S. No. E-1366.)**

On May 6, 1919, 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 a libel for the seizure and condemnation of 2 dozen packages containing bottles of liquid and loose cap-

sules labeled "3 Days' Cure," remaining unsold in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped on or about September 10, 1918, by The "3 Days" Cure Co., Washington, D. C., and transported from the District of Columbia into the State of Georgia, and charging misbranding under the Food and Drugs Act, as amended.

Analyses of samples of the product by the Bureau of Chemistry of this department showed that it consisted of two preparations, a liquid for injection and capsules for internal use. The injection consisted essentially of an aqueous solution of zinc sulphate and boric acid. The contents of the capsules consisted of powdered cubebs and copaiba.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements on the label and circular accompanying the article falsely and fraudulently represented that the article was a treatment, remedy, and cure for gonorrhœa and gleet, whereas, in truth and in fact, it was not.

On September 30, 1919, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9223. **Misbranding of Compound Extract of Cubebs with Copaiba, and Cu-co-ba Tarrant. U. S. \* \* \* v. 2 Dozen Jars of \* \* \* Compound Extract of Cubebs with Copaiba, and 1½ Dozen Boxes of \* \* \* Cu-co-ba Tarrant \* \* \*. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 10306, 10307. I. S. Nos. 16198-r, 16199-r. S. No. E-1360.)

On or about May 17, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 2 dozen jars of Compound Extract of Cubebs with Copaiba, and 1½ dozen boxes of Cu-co-ba Tarrant, at Jacksonville, Fla., consigned by the Tarrant Co., New York, N. Y., alleging that the articles had been shipped on or about April 10, 1919, and transported from the State of New York into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part, respectively: (Jars) "Compound Extract of Cubebs with Copaiba Prepared only by the Tarrant Co. Chemists New York. A Valued Medicine For Gonorrhœa, Gleets, Whites, &c.;" (circular) "\* \* \* Specially Prepared for the Treatment of Gonorrhœa, Gleet, and simple Whites or Leucorrhœa \* \* \* disorders of the kidneys, bladder, prostate, vagina and urethra in which these drugs have proved their usefulness. \* \* \* Directions.—Gonorrhœa. \* \* \* Gleet. \* \* \* In Leucorrhœa or Whites. \* \* \* In Inflammations of the Bladder and Urethra \* \* \*;" (box) "Cu-co-ba 'Tarrant' The Old Tarrant Extract of Cubebs and Copaiba in Capsule Form. The Tarrant Co. \* \* \* New York.;" (circular) "Cu-co-ba 'Tarrant' \* \* \* Reduces excessive and annoying discharges. An esteemed and convenient combination in inflammations and irritations of the bladder, kidneys, prostate, urethra and vagina. Of special value in gleet, gonorrhœa and leucorrhœa when uncomplicated with diseases of uterus or appendages. \* \* \* In chronic bronchitis \* \* \* it will be found of marked benefit \* \* \* In inflammations of vagina, bladder and kidneys, it has been used with success; also in irritation of prostate \* \* \* *leucorrhœa* or *whites* \* \* \* in the contagious disorder known as *gonorrhœa* or *clap*, Cu-co-ba gives positive results in the great majority of cases, \* \* \* in *gleet* also its good effects are quickly manifested. Administration. In chronic bronchitis, \* \* \* In inflammation of the vagina, and in inflammations of the bladder and kidneys

with frequent desire to urinate \* \* \* Gonorrhœa. \* \* \* Gleet. \* \* \*  
Leucorrhœa or Whites \* \* \*.”

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that they consisted essentially of oil of cubeb and copaiba balsam.

Misbranding of the articles was alleged in substance in the libels for the reason that the jars and boxes containing the articles and the circulars accompanying said articles contained the above-quoted statements regarding the curative and therapeutic effect thereof, which statements were false, fraudulent, and misleading in that said articles contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effect claimed.

On March 30 and February 5, 1921, respectively, no claimant having appeared for the property, judgments of condemnation were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9224. Adulteration and misbranding of Big G. U. S. \* \* \* v. 7 Dozen Bottles of \* \* \* Big G. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10549. I. S. No. 16506-r. S. No. E-1523.)**

On June 13, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 dozen bottles of Big G, at Tampa, Fla., consigned by the Evans Chemical Co., Cincinnati, Ohio, alleging that the article had been shipped on or about May 23, 1918, and transported from the State of Ohio into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) “Big G A Non-Poisonous Tonic, \* \* \* A Treatment For Unnatural Discharges of the urinary organs, Catarrh, Hay Fever and Inflamed, Ulcerated, Itching conditions of the skin and mucous membrane or linings of the Mouth, Nose, Throat, Eye and Ear;” (carton) “Big G A compound of Borated Goldenseal A remedy for Catarrh, Hay Fever, and Inflammations, Irritations or Ulcerations of mucous membranes or Linings of the Nose, Throat, Stomach and Urinary Organs” (same statements in French, Spanish, and German); (booklet) “Catarrh \* \* \* Chronic, of the head. \* \* \* Hay Fever, \* \* \* Inflammation of the eye. \* \* \* Cystitis \* \* \* Gastritis—Catarrh of the Stomach. \* \* \* Hæmorrhoids—Piles. \* \* \* Throat Troubles. \* \* \* Gonorrhœa \* \* \* Gleet \* \* \* Chronic Gonorrhœa. \* \* \* Stricture \* \* \* Folliculitis. \* \* \* Gonorrhœal Prostatitis. \* \* \* Spermatorrhœa \* \* \* Bubo \* \* \* Gonorrhœal Cystitis. \* \* \* As a preventative \* \* \* Leucorrhœa—Whites—Catarrh of the Vagina. \* \* \* Gonorrhœa in Women” (equivalent statements in Spanish, French, and German).

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a dilute alkaline solution of borax and berberine.

It was alleged in substance in the libel that the article was misbranded [and adulterated] in that the label contained the following statement, “A compound of Borated Goldenseal,” whereas it contained no borated goldenseal, and its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding was also alleged in substance for the reason that the labels on the bottles and cartons and the booklets accompanying said article contained the above-quoted statements, regarding the curative and therapeutic effect thereof,

which were false, fraudulent, and misleading in that said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 12, 1921, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9225. Misbranding of Leonardi's Injection No. 1. U. S. \* \* \* v. 3 Dozen Bottles of \* \* \* Leonardi's Injection No. 1. Default decree of condemnation and destruction.** (F. & D. No. 10569. I. S. No. 16505-r. S. No. E-1525.)

On or about June 13, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Leonardi's Injection No. 1, at Tampa, Fla., consigned by S. B. Leonardi & Co., New York, N. Y., alleging that the article had been shipped from the city of New York on or about March 8, 1919, and transported from the State of New York into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Leonardi's Injection No. 1 \* \* \* Prepared Only By S. B. Leonardi & Co., New York, N. Y."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an alkaline solution of borax, camphor, and berberine.

Misbranding of the article was alleged in substance in the libel for the reason that the label on the cartons and bottles contained certain statements regarding the curative and therapeutic effect of said article, to wit, (carton) "Leonardi's Injection No. 1 \* \* \* Used in Gonorrhoea and Gleet \* \* \*," (bottle) "Leonardi's Injection No. 1 \* \* \* For Gonorrhoea \* \* \*," which statements were false, fraudulent, and misleading in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effect claimed.

On March 12, 1921, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9226. Misbranding of Black Caps. U. S. \* \* \* v. 59 Boxes of Drugs. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10744. I. S. No. 18205-r. S. No. E-1614.)

On July 16, 1919, the United States attorney for the District of Vermont, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 59 boxes of drugs, labeled in part "Black Caps," remaining in the original unbroken packages at Burlington, Vt., alleging that the article had been shipped by the Safety Remedy Co., Canton, Ohio, on or about November 6, 1917, and transported from the State of Ohio into the State of Vermont, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Black-Caps For the treatment of Gonorrhoea, Urethritis, Cystitis, and other inflammatory conditions of the Urinary Tract. Directions: In Gonorrhoea \* \* \* in Other Conditions \* \* \*;" (circular) "\* \* \* rendering prompt service in the relief of the inflamed \* \* \* irritated conditions of the \* \* \* passages through the medication of the exposed mucous surfaces. \* \* \* 'Stimulant to the mucous membranes, especially of the Gephito-Urinary tract,' \* \* \* the component drugs entering

into this prescription as ‘\* \* \* the best drugs we possess in the treatment of specific urethritis,’ \* \* \* ‘chronic cystitis, resulting from Gonorrhoea,’ \* \* \* ‘\* \* \* Leucorrhoea, Vaginal Gonorrhoea, subacute and chronic pyelitis,’ \* \* \* ‘\* \* \* atonic impotence.’ \* \* \* ‘prostatic abscess, chronic inflammations of the vesical neck accompanied by tenesmus, nocturnal and incontinence of urine.’”

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted of powdered saw palmetto, oleoresin of cubeb, and copaiba balsam.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements upon the carton and in the circular, regarding the curative and therapeutic effects thereof, were false and fraudulent, because said article did not contain any ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On February 23, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9227. Adulteration and misbranding of Big G. U. S. \* \* \* v. 27 Bottles of Drugs. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10754. I. S. No. 18204-r. S. No. E-1611.)

On July 16, 1919, the United States attorney for the District of Vermont, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 27 bottles of drugs, labeled in part “Big G,” remaining in the original unbroken packages at Burlington, Vt., alleging that the article had been shipped by the Evans Chemical Co., Cincinnati, Ohio, on or about November 7, 1918, and transported from the State of Ohio into the State of Vermont, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part. (Carton, English and Spanish) “Big G A compound of Borated Goldenseal A remedy for Catarrh, Hay Fever, and Inflammations, Irritations or Ulcerations of mucous membranes or Linings of the Nose, Throat, Stomach and Urinary Organs;” (bottle) “Big G \* \* \* A Treatment For Unnatural Discharges of the urinary Organs, Catarrh, Hay Fever and Inflamed, Ulcerated, Itching conditions of the skin and mucous membrane or linings of the Mouth, Nose, Throat, Eye and Ear.”

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of borax and berberine. No hydrastine was present.

Adulteration of the article was alleged in substance in the libel for the reason that its strength and purity fell below the professed standard and quality under which it was sold in that it contained no borated goldenseal.

Misbranding was alleged in substance for the reason that the above-quoted statements, regarding the curative and therapeutic effects of the article and the ingredients and substances composing the same, were false and fraudulent, since the article did not contain any ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it, nor was the article a remedy or a cure or a treatment for any of the ills mentioned on the labels of the bottles and cartons.

On January 6, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9228. Adulteration and misbranding of Anchor dairy feed. U. S. \* \* \* v. Globe Elevator Co., a Corporation. Plea of guilty. Fine, \$150. (F. & D. No. 12342. I. S. No. 12813-r.)**

On October 24, 1920, the United States attorney for the Western 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 an information against the Globe Elevator Co., a corporation, Buffalo, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 2, 1918, from the State of New York into the State of Massachusetts, of a quantity of Anchor dairy feed which was adulterated and misbranded. The article was labeled in part, "Anchor Dairy Feed \* \* \* Globe Elevator Co. Buffalo, New York."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 11.25 per cent of protein and 2.23 per cent of fat. Examination by said Bureau showed that it contained a corn by-product, cottonseed meal, and ground screenings, with no linseed meal present.

Adulteration of the article was alleged in the information for the reason that a product low in protein and fat, and which contained no linseed oil meal, had been substituted in whole or in part for a product which contained 13½ to 15 per cent of protein, 3 per cent of fat, and which contained linseed oil meal, which the article purported to be.

Misbranding was alleged for the reason that the statement, "Protein 13½ to 15 per cent. Fat 3 per cent. \* \* \* Ingredients:—\* \* \* Linseed Oil Meal," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that said article contained not less than 13½ per cent of protein and 3 per cent of fat, and that it contained linseed oil meal, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 13½ per cent of protein and 3 per cent of fat, and that it contained linseed oil meal, when, in truth and in fact, said article did not contain 13½ per cent of protein or 3 per cent of fat, but did contain a less amount, and contained no linseed oil meal.

On January 4, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$150.

E. D. BALL, *Acting Secretary of Agriculture.*

**9229. Adulteration of canned salmon. U. S. \* \* \* v. 397½ Cases of Canned Salmon \* \* \*. Consent decree of condemnation and forfeiture. Product ordered released on bond for sorting. (F. & D. No. 12897. I. S. No. 10105-t. S. No. W-640.)**

On July 30, 1920, 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, and thereafter an amended libel, praying the seizure and condemnation of 397½ cases of canned salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Alaska Fish Co., Waterfall, Alaska, on September 29, 1919, 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: "Seaketch Brand Pink Salmon Packed in Alaska by Alaska Fish Co., Seattle, Wash., U. S. A."

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

On September 15, 1920, P. E. Harris & Co., claimant for a portion of the goods, having admitted the allegations of the libel and having consented to a decree, and on September 14, 1920, the American Oriental Sales Corporation, Seattle, Wash., having entered an appearance as claimant for the balance of the goods, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be delivered to said claimants upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$2,000 by the respective claimants, in conformity with section 10 of the act, said bonds being conditioned in part that the product be sorted under the supervision of this department and the bad portion destroyed.

E. D. BALL, *Acting Secretary of Agriculture.*

**9230. Adulteration of sauerkraut. U. S. \* \* \* v. 900 Cases of Sauerkraut. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13512. I. S. No. 1613-t. S. No. C-2396.)**

On August 30, 1920, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 900 cases of sauerkraut, remaining in the original packages at Fort Worth, Tex., alleging that the article had been shipped by the Purcell Grocery Co., Ardmore, Okla., on February 16, 1920, and transported from the State of Oklahoma into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Old Faithful Brand Sauer-Kraut."

It was alleged in substance in the libel that the article was adulterated in violation of section 7 of the Food and Drugs Act, paragraph 6, under "Food," for the reason that it was a filthy, decomposed, and putrid vegetable substance, and therefore inedible and unfit for human consumption.

On November 17, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9231. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 58 Barrels of Vinegar. Decree condemning the article as adulterated and misbranded. Product released on bond. (F. & D. No. 13743. I. S. No. 5155-t. S. No. E-2795.)**

On October 4, 1920, 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 of information for the seizure and condemnation of 58 barrels of vinegar, at Boston, Mass., consigned by the Kistler Vinegar Works, Stroudsburg, Pa., on or about May 22, 1920, alleging that the article had been transported from the State of Pennsylvania into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "\* \* \* Hatchet Brand Pure Fermented Apple Cider Vinegar \* \* \*"

Adulteration of the article was alleged in the libel for the reason that waste vinegar had been mixed and packed with and substituted wholly or in part for said article.

Misbranding was alleged in substance for the reason that the statement, "Pure Fermented Apple Cider [Vinegar]," appearing in the labeling, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of, and offered for sale under the distinctive name of, another article.

On March 2, 1921, the Twitchell-Champlin Co., Boston, Mass., having entered an appearance as claimant for the property and having executed a good and sufficient bond, in conformity with section 10 of the act, a decree was entered finding the product to be adulterated and misbranded and condemning the same, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

**9232. Adulteration of tomato purée. U. S. \* \* \* v. 6,972 Cans and 1,349 Cases of Tomato Purée \* \* \*. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 14024. I. S. Nos. 4655-t, 4056-t. S. Nos. C-2610, C-2611.)

On December 14, 1920, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6,972 cans and 1,349 cases, more or less, of tomato purée, remaining unsold and in the original unbroken packages at Fremont, Mich., alleging that the 6,972 cans of the article had been shipped by Jaqua & Co., Winchester, Ind., on or about December 9, 1918, and that the 1,349 cases of said article had been shipped by J. M. Paver & Co., of Chicago, Ill., invoiced by said Jaqua & Co., on or about December 20, 1918, and that the two shipments had been transported from the States of Indiana and Illinois, respectively, into the State of Michigan, and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled in part, "Witch Brand Tomato Puree \* \* \* Contents 6 lbs. 7 oz." The remainder of the article was unlabeled.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed, filthy, and putrid vegetable substance, namely, decomposed tomatoes and tomato pulp and parts thereof.

On March 7, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9233. Adulteration and misbranding of Jamaica ginger. U. S. \* \* \* v. 13 Gross Bottles of \* \* \* Tincture of Jamaica Ginger. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 14404. I. S. No. 8266-t. S. No. E-3090.)

On February 4, 1921, 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 a libel for the seizure and condemnation of 13 gross bottles of tincture of Jamaica ginger, consigned on January 7, 1921, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Chemical Trading Co., New York, N. Y., and transported from the State of New York into the State of Maryland, 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 was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength as determined by the test laid down in said Pharmacopœia, official at the time of the investigation, and for the further reason that its strength fell below the professed standard and quality under which it was sold, to wit, "Tincture of Jamaica Ginger U. S. P. IX."

Misbranding was alleged for the reason that the statements on the label, "Tincture of Jamaica Ginger U. S. P. IX," and "2 oz.," were false and misleading in that the article was not tincture of ginger of United States Pharma-



copical quality, and in that the contents of the package was less than 2 ounces. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the name of, another article.

On March 23, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9234. Misbranding of Haskin's Nervine. U. S. \* \* \* v. 11 Bottles and 16 Bottles \* \* \* of Haskin's Nervine. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14450, 14451. Inv. Nos. 29313, 29314. S. Nos. E-3125, E-3126.)**

On February 14, 1921, 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 libels for the seizure and condemnation of 11 bottles and 16 bottles, more or less, of Haskin's Nervine, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Haskin Medicine Co., Binghamton, N. Y., alleging that the article had been shipped on July 26, 1920, and January 24, 1921, respectively, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a solution of Epsom salts, sweetened, flavored, and colored with caramel.

Misbranding of the article was alleged in substance in the libels for the reason that the bottle and carton labels contained certain statements, designs, and devices, regarding the curative or therapeutic effects of the said article, as follows, (bottle) "Nervine The Great Nerve Tonic and Blood Purifier. \* \* \* For Liver Complaint, Female Weakness, Nervous Affections, Rheumatism, Kidney Trouble, Dyspepsia, Indigestion, \* \* \* Biliousness and Catarrh \* \* \* Nervous Diseases, Pains in the Heart and Shoulders, \* \* \* Indigestion, Headache, Heartburn, Loss of Appetite, Dizziness, Numbness, Nausea, Fluttering of the Heart, Faintness, Rheumatism and Kidney Trouble. \* \* \* Nervous Prostration and Female Complaints \* \* \* It strengthens the nerves, Purifies the Blood, Tones up the System, makes New, Rich Blood, Clear Skin, and Ensures Perfect Health," (carton) "\* \* \* Nervine. The Great Tonic, Nervine and Blood Purifier. \* \* \* It Strengthens the Nerves, Purifies the Blood, Tones Up the System, Makes New, Rich Blood, Clear Skin, \* \* \* The Great Nerve And Blood Tonic \* \* \* It acts upon the glandular system, increasing the functional activity of the body, it at once makes known its wonderful power of renovating and enriching the blood, and invigorates the whole system. As a remedy for diseases of the Stomach, Liver and Kidneys, Dyspepsia, Indigestion, Loss of Appetite, Sick Headache, Dizziness, Female Weakness, Nervous Prostration, Emaciation, General Debility, Rheumatism, Heart Trouble, Eruptions of the Skin, Pimples, Boils, Tumors, Scrofulous Affections, Cancerous Humors, Salt Rheum, Catarrh, Ringworm, Carbuncles, Ulcers and Sores, Syphilitic Affections, Malarial Poison, Pain in the Bones, or in fact any disease originating from an impure state or low condition of the blood and nerves, \* \* \* While eradicating and expelling the germs of disease, it at the same time builds up and invigorates, giving new life and energy to the whole system \* \* \*," which were false and fraudulent in that the article would not produce the curative or therapeutic effects which purchasers were led to expect by the above-quoted statements.

On March 16, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9235. Misbranding of Egyptian Regulator Tea. U. S. \* \* \* v. 11 Small, 19 Medium, and 8 Large Packages of Egyptian Regulator Tea. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14465. I. S. No. 14933-t. S. No. C-2803.)**

On February 16, 1921, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11 small, 19 medium, and 8 large packages of Egyptian Regulator Tea, remaining unsold in the original packages at Lincoln, Nebr., alleging that the article had been shipped by the Kells Co., Newburgh, N. Y., in part on or about April 4, 1920, and the remainder on or about May 4, 1920, and transported from the State of New York into the State of Nebraska, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) "Egyptian Regulator Tea;" (white circular) "Egyptian Regulator Tea. A Speedy and Positive Relief for Dyspepsia, Liver Complaint, Sick Headache. Nervousness \* \* \* Nature's own gift to dyspeptic, debilitated men, to Wornout, Nervous women, to Mothers of Peevish and Sickly Children, to girls just budding into womanhood, to sufferers from defective nutrition and blood diseases, to corpulent people whether male or female, old or young. \* \* \* Rheumatism, Neuralgia, Sick Headache, Pains in all parts of the body, running sores, pimples, boils, carbuncles and skin diseases \* \* \* Lung trouble and consumption, Premature Old Age, Lack of Youthful energy, beauty and vigor, sallow complexion and haggard, careworn look \* \* \* Diabetes \* \* \* Malaria \* \* \* Killing the disease Germs \* \* \* Heart Troubles, Paralysis, Rheumatism, Gout, \* \* \* Apoplexy;" (blue wrapper) "Egyptian Regulator Tea A remedy for \* \* \* Dyspepsia, Sick Headache and all disorders of the stomach, its daily use will purify the blood, remove all blotches from the face and restore the complexion. Ladies will find this a valuable remedy for all female complaints, also for liver and kidney trouble."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of senna, coriander, dog grass, ginger, taraxacum, sambucus, licorice, and cinnamon.

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

On March 29, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9236. Adulteration and misbranding of chocolate liquor. U. S. \* \* \* v. 58 Cases \* \* \* of Chocolate Liquor. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 14478. I. S. Nos. 8697-t, 8698-t, 13801-t, 13802-t. S. No. E-3119.)**

On February 21, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme

Court of said District, holding a District Court, a libel for the seizure and condemnation of 58 cases of chocolate liquor, at Washington, D. C., alleging that the article had been shipped by the Beacon Chocolate Co., Philadelphia, Pa., on or about December 4, 1920, and transported from the State of Pennsylvania into the District of Columbia, and charging adulteration and misbranding in violation of the Food and Drugs Act. A portion of the article was labeled in part, (case) "Lehigh Liq. \* \* \* From: Beacon. Choc. Co. American. & Ionic. Sts. Philadelphia, Pa." The remainder of the article was labeled in part, "Lehigh. Liq. Brand Pure Chocolate \* \* \* Frontier Chocolate Co. Manufacturers of High Grade Chocolate and Cocoa Powder North Tonawanda, N. Y."

Adulteration of the article was alleged in the libel for the reason that substances, to wit, cocoa shells, sand, and grit, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for pure chocolate liquor, which the article purported to be. Adulteration was alleged for the further reason that said substances had been mixed with the article in a manner whereby damage and inferiority were concealed.

Misbranding was alleged in substance for the reason that the statements on the labels, to wit, "Lehigh Liq. From Beacon Chocolate Co." and "Lehigh. Liq. Brand Pure Chocolate \* \* \* Frontier Chocolate Co. Manufacturers of High Grade Chocolate and Cocoa Powder," regarding the ingredients and substances contained in the article, were false and misleading and were designed so as to deceive and mislead the purchaser into the belief that the article was pure chocolate liquor, whereas, in truth and in fact, said article was not pure chocolate liquor, but was a product composed in part of cocoa shells, sand, and grit. Misbranding was alleged for the further reason that the article was a product composed in part of cocoa shells, sand, and grit, prepared in imitation of pure chocolate liquor, and was offered for sale under the distinctive name of another article, to wit, pure chocolate liquor.

On March 30, 1921, the Beacon Chocolate Co., Philadelphia, Pa., claimant, having consented to a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9237. Misbranding of Donaldson's Wonderful New Life Remedy. U. S. \* \* \* v. 110 Bottles and 497 Bottles of \* \* \* Donaldson's Wonderful New Life Remedy. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14487, 14574. I. S. Nos. 6343-t, 8205-t. S. Nos. E-3143, E-3139.)**

On February 21 and March 3, 1921, respectively, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 110 bottles and 497 bottles of Donaldson's Wonderful New Life Remedy, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the T. B. Donaldson Medicine Co., Philadelphia, Pa., on or about December 24, 1920, and February 17, 1921, respectively, and transported from the State of Pennsylvania 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: (Bottle) "\* \* \* Wonderful New Life Remedy \* \* \* For All Blood Diseases Stomach And Liver Difficulties Such as Dyspepsia, Biliousness, Scrofula, Ery-

sipelas, Catarrh, Liver Complaints, Rheumatism, Enlargement Of Liver, Diseases Of The Kidneys, Chronic Constipation And Nervous Debility. \* \* \* it is a genuine blood cleanser, stomach and liver regulator. It is one of the greatest kidney medicines in the world. It clears the urinal organs and strengthens the bladder, gives vitality, vigor, and vim to manhood."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a solution composed essentially of plant extractives, sulphates, and aloes.

Misbranding of the article was alleged in the libels for the reason that the above-quoted statements, appearing on the bottles containing said article, regarding the curative and therapeutic effect thereof, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On March 30, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**923S. Adulteration of canned salmon. U. S. \* \* \* v. 957 Cases of Salmon \* \* \*. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 14575. I. S. No. 10627-t. S. No. W-877.)**

On March 1, 1921, 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 for the seizure and condemnation of 957 cases of salmon, shipped by the Central Alaska Fisheries, Inc., Drier Bay, Alaska, on August 6, 1920, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the Food and Drugs Act.

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

On March 3, 1921, the Central Alaska Fisheries, Inc., Seattle, Wash., claimant, having admitted the allegations of the libel and having confessed judgment, a decree of condemnation was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500. in conformity with section 10 of the act, conditioned in part that it be disposed of as animal food under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**923O. Misbranding of Gono Capsules 761, Renol Capsules, and Gonna Specific. U. S. \* \* \* v. 10 Boxes of \* \* \* Gono Capsules 761, 6 Dozen Boxes of \* \* \* Renol Capsules, and 16 Boxes of \* \* \* Gonna Specific. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14587, 14588, 14589. Inv. Nos. 32303, 32302, 32305. S. Nos. E-3162, E-3163, E-3165.)**

On March 9, 1921, 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 libels for the seizure and condemnation of 10 boxes of Gono Capsules 761, 6 dozen boxes of Renol Capsules, and 16 boxes of Gonna Specific, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the articles had been shipped by the Grape Capsule Co., Allentown, Pa., on March 17, 1920, February 17 and February 5, 1921, respectively, and transported from the State of

Pennsylvania into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part: (Box) " \* \* \* \* Gonorrhoea, Gleet and all Kidney and Bladder Troubles \* \* \* Continue taking capsules for several days to prevent relapse."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that each of the preparations consisted of capsules containing essentially salol, oleoresin of cubebs, copaiba balsam, pepsin, cottonseed oil, and plant extractives.

Misbranding of the articles was alleged in the libels for the reason that the above-quoted statements, appearing on the boxes containing said articles, regarding the curative and therapeutic effect thereof, were false and fraudulent in that the articles did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On March 30, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9240. Adulteration and misbranding of egg noodles. U. S. \* \* \* v. 20**  
**Cases of Smith's Home Made Egg Noodles. Default decree of con-**  
**demnation, forfeiture, and destruction. (F. & D. No. 3380. S. No.**  
**1256.)**

On February 2, 1912, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a District Court, a libel for the seizure and condemnation of 20 cases of Smith's Home Made Egg Noodles, consigned by the S. R. Smith Co., Grantham and Harrisburg, Pa., remaining unsold in the original unbroken packages at Washington, D. C., alleging that the article had been transported from the State of Pennsylvania into the District of Columbia, on or about October 27, 1911, and was being offered for sale and sold at the District aforesaid, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Case) "100 Quar. Lbs. Home Made Smith's Egg Noodles Eat Smith's Empire Macaroni High Grade, \* \* \*;" (carton) "Smith's Home Made Egg Noodles These are regular Pennsylvania Home Made Egg Noodles They are made of fresh eggs and high grade flour. They are dried and cured under a sanitary process, which makes them more wholesome and delicious in taste than any noodles can be made in the ordinary way. Will not get stale and will keep any length of time in a dry place. Manufactured only by S. R. Smith Co., Grantham and Harrisburg, Pa., U. S. Serial No. 14020. \* \* \* Smith's Pennsylvania Home Made Egg Noodles Made of fresh eggs, flour and Spanish saffron Guaranteed under the U. S. Food and Drugs Act, June 30, 1906."

It was alleged in substance in the libel that the article was adulterated in violation of section 7 of the aforesaid act, in that it was a food in which had been mixed an artificial coloring matter or substance whereby inferiority had been concealed.

Misbranding was alleged in substance for the reason that the cases containing the product were labeled and branded as follows, "100 Quar. Lbs. Home Made Smith's Egg Noodles Eat Smith's Empire Macaroni High Grade 19642 10-31," which labels were false and misleading in that the said cases did not contain 100 quarter-pound packages, but did contain 100 packages which weighed less than one-quarter pound, and for the further reason that upon each of the packages contained in the cases appeared the words "Home Made

Noodles," used in connection with, and as a part of, a picture or design representing or purporting to represent a home kitchen, whereas, in truth and in fact, the article was not home made, but was manufactured in a factory.

On March 12, 1921, the S. R. Smith Co. having entered its appearance as claimant for the property, but having filed no answer to the libel, a decree of condemnation was entered adjudging the product to be adulterated and misbranded as charged in said libel, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9241. Misbranding of cottonseed meal. U. S. \* \* \* v. Union Seed & Fertilizer Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 8976. I. S. No. 19933-m.)**

On November 19, 1918, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Union Seed & Fertilizer Co., a corporation, having a place of business at England, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 4, 1917, from the State of Arkansas into the State of Minnesota, of a quantity of cottonseed meal which was misbranded. The article was labeled in part, "Beauty Brand Cottonseed Meal and Cracked Screened Cake \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained more crude fiber and less ammonia and protein than declared on the label.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Analysis: Ammonia 7 Per Cent, Protein 36 Per Cent \* \* \* Crude Fibre 12 Per Cent," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that said article contained not less than 7 per cent of ammonia and 36 per cent of protein and not more than 12 per cent of crude fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 7 per cent of ammonia and 36 per cent of protein and not more than 12 per cent of crude fiber, whereas, in truth and in fact, it contained less ammonia and protein and more crude fiber than declared, to wit, approximately 6.54 per cent of ammonia, 33.6 per cent of protein, and 16.6 per cent of crude fiber.

On March 21, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**9242. Adulteration and misbranding of glycerin. U. S. \* \* \* v. 4 Drums of \* \* \* Glycerin. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 9296. I. S. No. 13662-r. S. No. E-1110.)**

On September 9, 1918, 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 of information, and on November 27, 1918, an amendment thereto, against 4 drums of glycerin, consigned on or about July 15, 1918, remaining in the original unbroken packages at Lynn, Mass., alleging that the article had been shipped by H. A. Forbes & Co., New York, N. Y., and transported from the State of New York into the

State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act.

It was alleged in substance in the libel that the product was a drug and that it was adulterated in violation of the so-called Food and Drugs Act in that it consisted in part of commercial glucose and added water.

Misbranding was alleged in substance for the reason that the article was an imitation of, and was offered for sale under the name of, another article, to wit, glycerin, whereas, in truth and in fact, it was not glycerin.

On September 30, 1918, Harold A. Forbes, trading as H. J. Forbes & Co., New York, N. Y., filed a claim for the product, and on June 3, 1920, entered a stipulation agreeing that the product might be condemned unless said claimant should file a bond within 60 days from the date of such stipulation. On January 31, 1921, the claimant having failed to file such bond, judgment by default was entered, and it was ordered by the court that the product be condemned and forfeited to the United States, and it was further ordered that it be sold at public auction by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9243. Adulteration of ginger ale and root beer. U. S. \* \* \* v. 224 Cases \* \* \* of Ginger Ale and 202 Cases \* \* \* of Root Beer. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14125. I. S. Nos. 4140-t, 4141-t. S. No. C-2650.)**

On December 30, 1920, 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 for the seizure and condemnation of 224 cases, each containing 12 bottles, more or less, of ginger ale, and 202 cases, each containing 12 bottles, more or less, of root beer, at Chicago, Ill., alleging that the article had been shipped by the Almanaris Mineral Spring Co., Waukesha, Wis., on August 14, 1920, and transported from the State of Wisconsin into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The articles were labeled in part, "Montclair Brand Waukesha Ginger Ale" (or "Root Beer").

Adulteration of the articles was alleged in the libel for the reason that a substance, to wit, saccharin, had been mixed and packed with said articles so as to lower, reduce, and injuriously affect their quality and strength, for the further reason that saccharin had been mixed and packed therewith in a manner whereby damage and inferiority were concealed, and for the further reason that the articles contained an added poisonous or deleterious ingredient, to wit, saccharin, which might render them injurious to health.

On January 14, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9244. Misbranding of Castalian natural mineral water. U. S. \* \* \* v. 10½ Dozen Bottles of \* \* \* Castalian Natural Mineral Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14127. I. S. No. 6475-t. S. No. E-3024.)**

On January 3, 1921, 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 for the seizure and condemnation of 10½ dozen bottles of Castalian natural mineral water, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by J. P. Forbes & Co., Santa Cruz,

Calif., on or about September 11, 1920, and transported from the State of California 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: (Shipping package) "Two doz. Castalian Natural Mineral Water, recommended for kidney troubles, rheumatism and dyspepsia, J. P. Forbes and Company, Props., Chicago, Ill., Santa Cruz, California;" (bottle label) "\* \* \* Rheumatism, Dyspepsia, Skin Diseases, Stomach Troubles and to Purify the blood, \* \* \* Kidney Complaints, Gravel and all other Urinary Troubles, \* \* \* Sore Throat;" (wrapper) "\* \* \* Kidney and Stomach Disorders Catarrh and Impure Blood;" (circular) "Bright's Disease and other Kidney and Urinary troubles, Rheumatism, Dyspepsia, Indigestion, Biliousness and other stomach disorders, Catarrh, Scrofula, Quinsy, Tonsillitis, Diphtheria, Sore Throat from colds, Hay Fever, Chills and Fever, Varicose Veins, Diarrhoea, Inflammation, internal or external; Ulcerations, Leucorrhoea, Boils, Eczema, Salt Rheum and other skin diseases, Blood Poisoning, Poison Oak or Ivy, Sprains, Bruises, Burns and Cuts, Inflammatory Rheumatism, Lumbago, \* \* \* Ulcers, Piles, Fever Sores, Abscesses, \* \* \* Pleurisy, Erysipelas, \* \* \* Gout, La Grippe, \* \* \* Granulated Eyelids. \* \* \* Cold in the Head \* \* \* Sick Headache, \* \* \* Torpid Liver, \* \* \* Sea Sickness, Cramps of the Stomach \* \* \* Retention of Urine, Diabetes, Private Diseases. \* \* \* Bronchitis, \* \* \* Scalds, \* \* \* Sun Burn. \* \* \* Cramps, Colic, Rash or Hives, \* \* \* Catarrh of the Head, Stomach or Bladder, \* \* \* Inflammation of the Womb \* \* \* Suppressed, Profuse or Painful Menstruations;" (testimonials) "\* \* \* tumor in \* \* \* kidneys \* \* \* goitre \* \* \* tropical dysentery \* \* \* stomach and kindred troubles \* \* \* mangled sprain of the ankle. \* \* \* inflammation of prostate gland. \* \* \* chills and fever and malaria, \* \* \* cutaneous affection \* \* \* catarrh \* \* \* sight \* \* \* impaired \* \* \* hearing \* \* \* taste or smell, the membrane and bone between my nostrils eaten out, and my lungs and throat in bad shape. \* \* \* Locomotor Ataxia \* \* \* bad sores that threatened blood poisoning \* \* \* prevented \* \* \* varicose ulcer \* \* \* tumor \* \* \* urinary, bladder and kidney trouble \* \* \* impoverished blood, \* \* \* 'Impetigo Abscesses,' \* \* \* ulcers in my stomach, \* \* \* blood cleansers \* \* \* all forms of stomach and liver ailments \* \* \* kidney troubles \* \* \* dysmenorrhoea, \* \* \* sore throat that caused deafness. \* \* \* female and other troubles. \* \* \* sciatic rheumatism. \* \* \* pimples on face. \* \* \* lead poisoning and rheumatism, \* \* \* asthma. \* \* \* malaria poison."

Misbranding of the article considered as a drug was alleged in the libel for the reason that the above-quoted statements, appearing on the shipping packages, bottle labels, wrappers, and in the circulars and testimonials packed with said product, regarding the curative and therapeutic effects of said article, were false and fraudulent in that the article did not contain any ingredients or combination of ingredients capable of producing the effects claimed for it. Misbranding of the article considered as a food was alleged for the further 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 March 15, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*



**9245. Adulteration and misbranding of Blackberry Punch, Port Wine, Mexican Hot, Cherry Tip, Loganberry Punch, Port Wine Punch, and Blackport Punch. U. S. \* \* \* v. Certain Alleged Nonalcoholic Beverages \* \* \*. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 14162. I. S. Nos. 10219-t, 10220-t, 10221-t, 10222-t, 10446-t, 10447-t, 10448-t, 10449-t, 10450-t. S. No. W-832.)

On or about January 20, 1921, 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 for the seizure and condemnation of certain alleged nonalcoholic beverages, to wit, 1 barrel each of Blackberry Punch and Port Wine, shipped on or about December 2, 1920, 1 barrel each of Mexican Hot, Port Wine, and Cherry Tip, shipped on or about August 18, 1920, and 9 kegs of Port Wine Punch, 6 kegs of Mexican Hot, 5 kegs of Blackport Punch, and 7 kegs of Loganberry Punch, shipped on or about September 17, 1920, consigned by The Lyons Bros. Co., Dallas, Tex., and remaining unsold in the original unbroken packages at Denver, Colo., alleging that the articles had been transported from the State of Texas into the State of Colorado, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part, "Lyons' Non-Alcoholic Blackberry Punch" ("Port Wine," "Mexican Hot," "Cherry Tip," "Loganberry Punch," "Port Wine Punch," or "Blackberry Punch," as the case might be).

Adulteration of the articles was alleged in the libel for the reason that an artificially flavored beverage sweetened with saccharin had been mixed with and substituted for the articles, so as to reduce, lower, and injuriously affect their quality; for the further reason that said articles were mixed and colored in a manner whereby damage and inferiority had been concealed; and for the further reason that they contained an added poisonous and deleterious ingredient, to wit, saccharin, which might render said articles injurious to health.

Misbranding was alleged for the reason that the statement of the names of the articles on the label was false and misleading and deceived and misled the purchaser; for the further reason that they were imitations of, and were offered for sale under the distinctive names of, other articles; and for the further reason that they were food in package form, and the quantity of the contents of the packages was not plainly and conspicuously marked on the outside thereof.

On February 28, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9246. Misbranding of Nervosex Tablets. U. S. \* \* \* v. 10 Boxes and 10 Boxes \* \* \* of Nervosex Tablets. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 14202, 14203. I. S. Nos. 12105-t, 12106-t. S. Nos. C-2698, C-2699.)

On January 20, 1921, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 10 boxes and 10 boxes, more or less, of Nervosex Tablets, remaining in the original unbroken packages at Columbus and Fremont, Nebr., respectively, alleging that the article had been shipped by the United Laboratories Co., St. Louis, Mo., on or about August 18 and 20, 1920, respectively, and transported from the State of Missouri into the State of Nebraska, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box label and wrapper) "Nervosex Tablets \* \* \* A compound

of nerve and muscle stimulants for low vitality, lack of energy, sexual weakness."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of strychnine, phosphates, and iron, zinc, and calcium salts.

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

On March 19, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9247. Misbranding of Píldoras Uriseptic or Uriseptic Pills. U. S. \* \* \* v. 7 Dozen Bottles, Formula No. 1, and 10 Dozen Bottles, Formula No. 2, of Píldoras Uriseptic, and 2 Dozen Packages of Uriseptic Pills. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 14260, 14485. I. S. Nos. 9762-t, 9763-t, 9779-t. S. Nos. E-3020, E-3135.)**

On January 25 and February 19, 1921, respectively, the United States attorney for the District of Porto Rico, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain quantities of an article known as Píldoras Uriseptic or Uriseptic Pills, remaining in the original unbroken packages at San Juan and Mayaguez, P. R., respectively, alleging that 7 dozen bottles, Formula No. 1, and 10 dozen bottles, Formula No. 2, of Píldoras Uriseptic had been shipped by the Davis & Lawrence Co., New York, N. Y., on or about July 14 and August 13, 1920, respectively, and that 2 dozen packages (Formula No. 2) of Uriseptic Pills had been shipped by the America Commercial S. A., New York, N. Y., on or about June 25, 1920, and that the articles had been transported from the State of New York into the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the pills (Formula No. 1) consisted essentially of cubeb, methylene blue, salol, and kava-kava.

Misbranding of the articles was alleged in substance in the libels for the reason that the following statements regarding the curative and therapeutic effect thereof, (Formula No. 1) (bottle label, in Spanish) "Uriseptic Pills \* \* \* Anti-Gonorrhoeic \* \* \* Used in the treatment of gonorrhoea, inflammation of the bladder or urethra and other forms of secondary diseases which usually follow biennorrhagic infection \* \* \*," (Formula No. 2) (bottle label, in Spanish) "Uriseptic Pills, Anti-Gonorrhoeic \* \* \* cannot be surpassed by any other medicine in the treatment of Gonorrhoea nor in the treatment of chronic Inflammations (or acute) of the bladder or urethra and other forms of secondary diseases which usually follow blennorrhagic infection \* \* \*," (circular, in Spanish) "Gonorrhoea \* \* \* Uriseptic Pills (white coated Formula No. 2) combine medicines which have been beneficial for a long time in the cure of gonorrhoea and chronic cystitis. In Uriseptic Pills (Formula No. 2) the patient will find a sedative remedy of highly beneficial action. Besides, a decisive influence in the cure, due to the activity exerted by the medicinal agents composing them, will be observed by the patient \* \* \* The curative treatment with Uriseptic Pills either No. 1, blue coated, or No. 2, white coated \* \* \* Uriseptic Pills are fit for the cure of Gon-

orrhœa in both sexes \* \* \* In Cystitis \* \* \* Uriseptic Pills produce very satisfactory results. These pills exert \* \* \* cure which makes them undoubtedly ideal in the treatment of inflammations of the genito-urinary passages \* \* \* the medicine used with greatest success in the treatment of this disease \* \* \*," (carton, English and Spanish) "Uriseptic Pills (Formula No. 2) \* \* \* Anti-Gonorrhœal \* \* \* Sufferers from this disease may rely upon \* \* \* these pills \* \* \*," were false and fraudulent as said articles contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 14, 1921, the Davis & Lawrence Co., New York, N. Y., claimant, having consented to decrees and having failed to deny the allegations of the libels, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be released to said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$200, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**9248. Misbranding of Cadomene Tablets. U. S. \* \* \* v. 53 Packages of \* \* \* Cadomene Tablets \* \* \*. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 14265. Inv. No. 25874. S. No. E-3068.)

On January 25, 1921, 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 a libel for the seizure and condemnation of 53 packages, more or less, of Cadomene Tablets, consigned on or about August 30, 1920, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Blackburn Products Co., Dayton, Ohio, and transported from the State of Ohio into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of zinc phosphid, strychnine, and iron salts.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding the curative and therapeutic effects thereof, (bottle) "Invigorating \* \* \* for the Treatment of \* \* \* Neurasthenia (Nerve Exhaustion), General Debility, Melancholy, Dizziness, Heart Palpitation, Trembling Weakness, Waning Strength, Functional Irritation of the Urinary Tract, Languor and many other Symptoms due to \* \* \* Worry, Grief, Intemperance, Dissipation, Overwork, Mal-Nutrition, Convalescence from Influenza, Etc. \* \* \*," (circular) "\* \* \* the benefits to be derived from their use, are such as to recommend them to all who may be afflicted with \* \* \* Neurasthenia, Nervous Exhaustion, General Debility, Melancholy, Dizziness, Heart Palpitation, Trembling Weakness, Waning Strength, Functional Irritation of the Urinary Tract, Languor and many other symptoms due to \* \* \* Worry, Grief, Intemperance, Dissipation, Mal-Nutrition, Overwork, Etc. \* \* \* valuable for those who are despondent, nervous, irritable and unable to act naturally under the most ordinary circumstances. \* \* \*," were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 23, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9249. Misbranding of Cadomene Tablets. U. S. \* \* \* v. 24 Dozen Bottles, 6 Dozen Bottles, 5½ Dozen Bottles, and 4½ Dozen Bottles of \* \* \* Cadomene Tablets. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 14370, 14371, 14372, 14373, Inv. Nos. 27619, 27620, 27621, 27623, 27624. S. Nos. E-3061, E-3062, E-3065, E-3066.)

On January 29, 1921, 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 libels for the seizure and condemnation of 24 dozen, 6 dozen, 5½ dozen, and 4½ dozen bottles, respectively, of Cadomene Tablets, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Blackburn Products Co., Dayton, Ohio, between the dates September 13 and December 22, 1920, and transported from the State of Ohio 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: (Bottle) "Invigorating \* \* \* for the Treatment of \* \* \* Neurasthenia (Nerve Exhaustion), General Debility, Melancholy, Dizziness, Heart Palpitation, Trembling Weakness, Waning Strength, Functional Irritation of the Urinary Tract, Languor and many other Symptoms due to \* \* \* Worry, Grief, Intemperance, Dissipation, Overwork, Mal-Nutrition, Convalescence from Influenza, etc. \* \* \*;" (circular) "\* \* \* The benefits to be derived from their use, are such as to recommend them to all who may be afflicted with \* \* \* Neurasthenia, Nervous Exhaustion, General Debility, Melancholy, Dizziness, Heart Palpitation, Trembling Weakness, Waning Strength, Functional Irritation of the Urinary Tract, Languor and many other symptoms due to \* \* \* Worry, Grief, Intemperance, Dissipation, Mal-Nutrition, Overwork, Etc. \* \* \* valuable for those who are despondent, nervous, irritable and unable to act naturally under the most ordinary circumstances. \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of zinc phosphid, strychnine, and iron salts.

Misbranding of the article was alleged in the libel for the reason that the statements appearing on the bottles and in the circulars as above quoted, regarding the curative and therapeutic effect of said article, were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 2, 1921, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9250. Adulteration and misbranding of soda pop. U. S. \* \* \* v. 55 Cases \* \* \* of Soda Pop. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 596-c. I. S. No. 131-t.)

On or about September 1, 1920, the United States attorney for the District of Kansas, acting upon a report by an official of the State of Kansas, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 55 cases, more or less, of soda pop, remaining unsold in the original unbroken packages at Kansas City, Kans., alleging that the article had been shipped by the Eagle Bottling Works, Kansas City, Mo., on or about August 27, 1920, and transported from the State of Missouri into the State of Kansas, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled: (Bottles) "Eagle Bot'g W'ks.

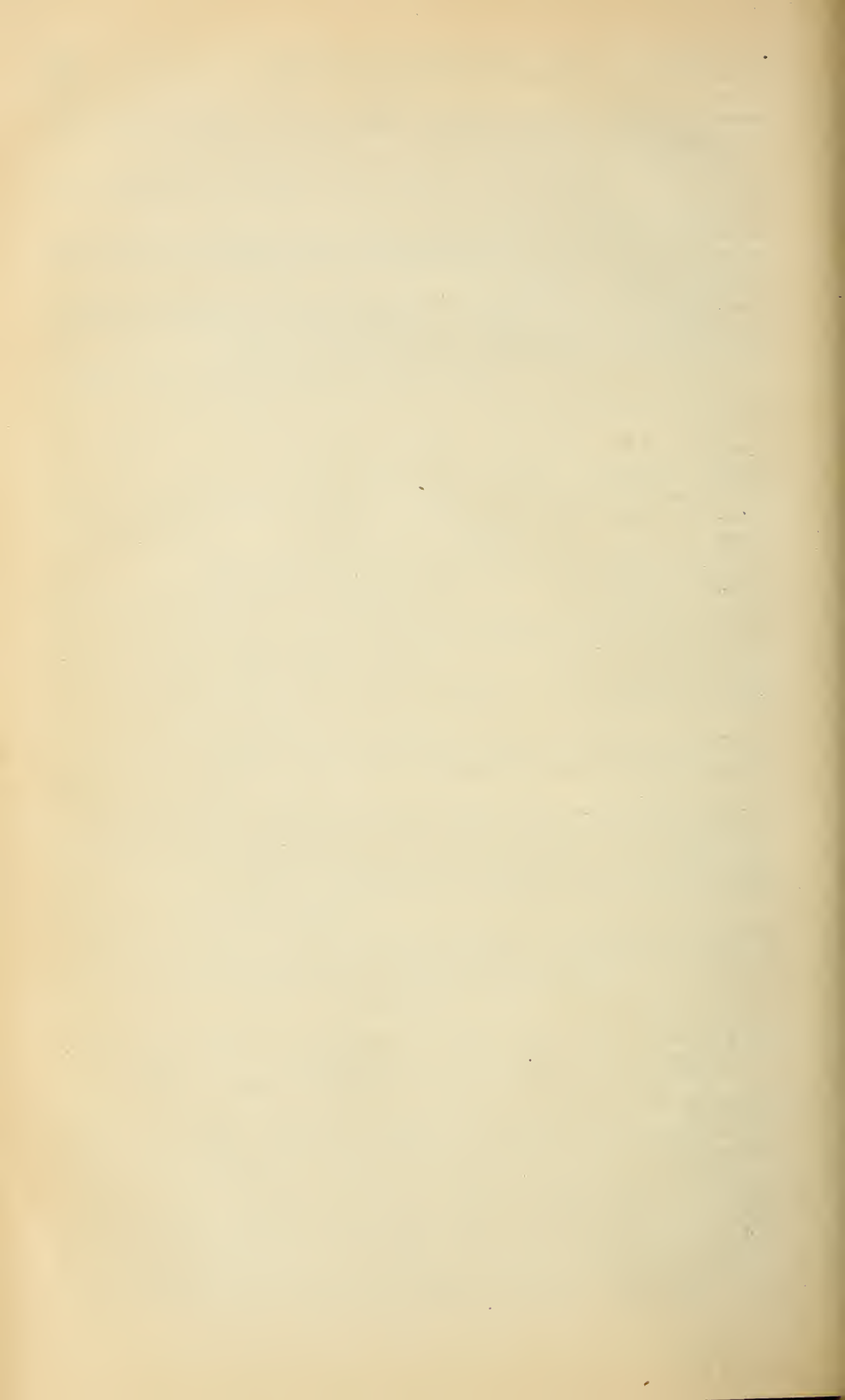
Kansas City, Mo. Artificial Electrified Strawberry" (or "Lemon Soda," "K. C. Ola Kola Cherry," or "Mickey").

Adulteration of the article was alleged in the libel for the reason that it contained an added deleterious ingredient, to wit, saccharin, which might render said article injurious to health.

Misbranding was alleged in substance for the reason that the contents of each bottle was not stated plainly and correctly on the outside of the package in terms of weight or measure.

On December 2, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*



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Lyons Bros. Co-----	9245	"3 Days" Cure Co-----	9222
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Lyons Bros. Co-----	9245	Cruikshank Bros. Co-----	9208,
Purée. <i>See</i> Tomato purée.		Cruikshank Bros. Co-----	9209, 9218
Regulator tea :		purée :	
Kells Co-----	9235	Jaqua & Co-----	9232
Renol Capsules :		Paver, J. M., & Co-----	9232
Grape Capsule Co-----	9239	Tomatoes :	
Root beer :		Webster, Winfield, & Co---	9213
Almanaris Mineral Spring		Uriseptic Pills :	
Co-----	9243	Davis & Lawrence Co-----	9247
Sage, rubbed :		Vinegar, cider :	
Sperry & Barnes Co-----	9207	Kistler Vinegar Works-----	9231
Salmon, canned :		Waynesboro Vinegar Co---	9216
Alaska Fish Co-----	9229	Water, Castalian mineral :	
Central Alaska Fisheries--	9238	Forbes, J. P., & Co-----	9244
Sauerkraut :		Wine, port :	
Purcell Grocery Co-----	9230	Lyons Bros. Co-----	9245
		Wood's concentrated sweetener :	
		Wood, W. B., Mfg. Co-----	9201