

statements regarding the therapeutic and curative effects of the article, borne on the carton and included in the circular accompanying the article, were false and fraudulent in that it contained no ingredients or combination of ingredients capable of producing the curative and therapeutic effects claimed for it.

On May 23, 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.*

**7396. Misbranding of Black-Caps. U. S. \* \* \* v. 1 Gross Cartons of Black-Caps. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10246. I. S. No. 2587-r. S. No. W-341.)

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 a libel for the seizure and condemnation of 1 gross cartons of Black-Caps, consigned by the Safety Remedy Co., Canton, Ohio, remaining unsold in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped on April 3, 1919, and transported from the State of Ohio into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (On carton) "Black-Caps For the treatment of Gonorrhœa, Urethritis, Cystitis, and other inflammatory conditions of the Urinary Tract" (In circular) "Black-caps for the treatment of inflammatory affections of the genito-urinary organs \* \* \*. Stimulant to the mucous membranes, especially of the Genito-Urinary tract, \* \* \* among the best drugs \* \* \* in the treatment of specific Urethritis (simple Gonorrhœa), \* \* \* in chronic Cystitis (inflammation of the bladder) resulting from Gonorrhœa, Leucorrhœa, Vaginal Gonorrhœa, subacute and chronic Pyelitis, atonic impotence. \* \* \* Prostatic abscess, chronic inflammation of the vesical neck (bladder) \* \* \*."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, cubebs, and saw palmetto.

Misbranding of the article was alleged in substance in the libel for the reason that the foregoing and certain other statements, borne on the cartons and included in the leaflet accompanying the article, were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it.

On May 20, 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.*

**7397. Adulteration and misbranding of gelatin. U. S. \* \* \* v. 20 Barrels of Alleged Gelatin. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 10217. I. S. No. 6758-r. S. No. C-1207.)

On May 6, 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 20 barrels of alleged gelatin, at Chicago, Ill., alleging that the article had been shipped on March 3, 1919, by J. O. Whitten & Co. [J. O. Whitten Co.], Boston, Mass., and transported from the State of Massachusetts

into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it was composed of a certain substance, to wit, glue, which said substance, containing excessive amounts of arsenic, copper, and mercury, had been substituted for ground gelatin, which the said article purported to be, and had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and for the further reason that it contained added poisonous and deleterious ingredients, to wit, zinc, copper, arsenic, and mercury, which might render the article injurious to health.

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

On June 2, 1919, the J. O. Whitten Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be labeled, "NOT TO BE USED FOR FOOD, OR FOR THE MANUFACTURE OF FOOD ARTICLES," and released to said claimant upon the 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.*

**7398. Misbranding of Brown's Blood Treatment. U. S. \* \* \* v. 2½ Dozen Bottles of a Drug Known as "Brown's Blood Treatment." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10221. -I. S. No. 13933-r. S. No. E-1369.)**

On May 8, 1919, 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 2½ dozen bottles of a drug known as Brown's Blood Treatment, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about April 26, 1919, by B. L. Brown, Philadelphia, Pa., 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, "Brown's Blood Treatment. This Preparation is Recommended by us for the Treatment of Contagious Blood Poison. B. L. Brown Sole manufacturer. 935 Arch St. Philadelphia, Pa."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of iodids of potassium and mercury, and sugar.

Misbranding of the article was alleged for the reason that it was not capable of producing the therapeutic and curative effects claimed for it on the labels, cartons, and circulars, and such statements were false and fraudulent and the bottles, labels, cartons, and circulars contained statements as to the curative and therapeutic effects of the said drugs and of the ingredients and substances contained therein, to wit, (carton and bottle labels, in part) "Brown's Blood Treatment \* \* \* is Recommended by us for the Treatment of Contagious Blood Poison," (circular) "Syphilis and Blood Poison \* \* \* Dr. Brown's Blood Treatment is recommended to be used in Syphilitic Diseases of the Bones, Syphilitic Ulcers, Syphilitic Mucous Patches, Syphilitic and Scrofulous Skin Diseases and Diseases of the Blood arising from Syphilitic Inoculation," whereas, in truth and in fact, the article consisted essentially of an aqueous solution of potassium and mercuric iodids and sugar, and the product contained no