

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

On September 5, 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.*

**7452. Misbranding of Influenza Special (Senoret). U. S. \* \* \* v. 138 Cartons \* \* \* Influenza Special (Senoret). Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10431. I. S. No. 2904-r. S. No. W-378.)

On May 23, 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 138 cartons, labeled in part "Influenza Special (Senoret)," remaining unsold in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped on October 30, 1918, by the Senoret Chemical Co., St. Louis, Mo., and transported from the State of Missouri into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Influenza Special (Senoret). Prepared for the treatment of influenza and the cause thereof. \* \* \* ;" (circular) "Influenza Special (Senoret) Specially prepared for Influenza, La Grippe and kindred ailments. \* \* \* As soon as any of the above mentioned symptoms appear, do not delay but begin taking one tablet every hour until six have been taken \* \* \*."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of a sugar-coated tablet containing aloin, mydriatic alkaloids, and cinchonine with little or no quinine, the presence of aconite being indicated.

Misbranding of the article was alleged in substance in the libel for the reason that the statements above quoted, appearing on the carton and included in the circular accompanying the article, regarding the curative and therapeutic effects thereof, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On June 12, 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.*

**7453. Misbranding of olive oil. U. S. \* \* \* v. 61 Cans of Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 10570. I. S. No. 15026-r. S. No. E-1470.)

On June 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 61 cans of olive oil, labeled in part "Pure Olive Oil \* \* \* Imported and Packed by W. P. Bernagozzi, N. Y.," consigned by W. P. Bernagozzi & Bro., New York, N. Y., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about April 18, 1919, 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.