

8602. Misbranding of Hinkle Capsules. U. S. * * * v. 3 Dozen Packages of Hinkle Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10449. I. S. No. 7785-r. S. No. C-1254.)

On May 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 a libel for the seizure and condemnation of 3 dozen packages of an article of drugs, labeled in part "Hinkle Capsules * * * Manufactured only by the Hinkle Capsule Company, Inc., Mayfield, Ky.," consigned by said company on or about April 5, 1919, alleging that the article had been shipped from Mayfield, Ky., and 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: (Package) "Hinkle Capsules * * * For the treatment of Gleet, Leucorrhœa, Kidney and Bladder Affections, Mucous Discharges, Etc.;" (circular) "* * * catarrhal conditions of the urinary organs * * * for the successful treatment of Urinary diseases * * * In affections of the Genito-Urinary organs * * * For the treatment of the more common Kidney and Bladder disorders * * * in the relief of catarrhal condition of the urinary organs in advanced or chronic forms * * * scalding discharge, acute inflammation and irritation of the mucous members, prostate gland * * * Kidney and Bladder Disorders * * * Catarrhal and mucous discharge * * *."

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 cubeb and copaiba balsam, with small amounts of cannabis indica, pepsin, and santal oil.

Misbranding of the article was alleged in substance in the libel for the reason that the package and label bore and contained the aforesaid statements, regarding the curative or therapeutic effect of said drug, which were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed, 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.

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.*

8603. Misbranding of Injection Zip. U. S. * * * v. 12 Dozen Bottles of Injection Zip. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10531. I. S. No. 6596-r. S. No. C-1276.)

On June 9, 1919, 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 12 dozen bottles of Injection Zip, remaining in the original unbroken packages at Duluth, Minn., alleging that the article had been shipped by the Baker-Levy Chemical Co., Indianapolis, Ind., on or about October 30, 1918, and transported from the State of Indiana into the State of Minnesota, and charging 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 essentially of acetates and sulphates of zinc and lead, berberine, and water.