

**8903. Adulteration and misbranding of orange crush. U. S. \* \* \* v. 22**  
**Cases of Orange Crush, So-Called. Default decree of condemna-**  
**tion, forfeiture, and destruction.** (F. & D. No. 11461. I. S. No. 6246-r.  
 S. No. C-1491)

On October 8, 1919, 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 22 cases of orange crush, so called, remaining unsold in the original unbroken packages at Grand Rapids, Mich., alleging that the article had been shipped on or about July 3, 1919, by the Orange Crush Co., Chicago, Ill., and transported from the State of Illinois into the State of Michigan, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Ward's Orange Crush in concentrated form prepared with oils, pressed from the peel of fresh ripe oranges and sugar sirup," and the label on each of said bottles containing the articles bore a picture or design of oranges with orange twigs and blossoms.

Adulteration of the article was alleged in the libel for the reason that certain substances had been substituted in whole or in part for said article of food, namely, a product composed of sugar, water, flavor, and color, to wit, sugar sirup artificially colored and flavored had been substituted for a product made wholly from fruit, namely, oranges. Adulteration was alleged for the further reason that the article was mixed and artificially colored in a manner whereby the inferiority of said article of food was concealed.

Misbranding was alleged in substance for the reason that the label of the article bore the above-mentioned statements, designs, and devices, regarding the article, which were false and misleading in that they purported to state and represent that the article was made wholly from fruit, namely, from oranges, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser thereof to believe that he was buying an article of food made wholly from fruit, namely, oranges, when, in truth and in fact, it was not a product of crushed oranges and was not wholly a product of oranges, and was, in fact, not so made, but was mixed and adulterated with other articles as hereinbefore fully set forth.

On December 6, 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.*

**8904. Misbranding of Dr. Harper's Anti-Cholera Tonic for Hogs. U. S.**  
**\* \* \* v. 7 Dozen Packages of Dr. Harper's Anti-Cholera Tonic**  
**for Hogs. Default decree of condemnation, forfeiture, and de-**  
**struction.** (F. & D. No. 11787. I. S. Nos. 8722-r, 8723-r, 8724-r. S. No.  
 C-1565.)

On December 17, 1919, the United States attorney for the Eastern 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 7 dozen packages of Dr. Harper's Anti-Cholera Tonic for Hogs, remaining unsold in the original unbroken packages at Strang, Okla., alleging that the article had been shipped on or about June 23, 1919, by the Elite Chemical Co., Watertown, Tenn., and transported from the State of Tennessee into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Dr. Harper's Anti-Cholera Tonic for Hogs Given to prevent diseases of swine For

worms \* \* \* 'How to Prevent Cholera' \* \* \* How to Prevent Hog Cholera \* \* \* About every other day give to each hog a tablespoonful of Dr. Harper's Anti-Cholera \* \* \* in most cases acts as preventive to disease \* \* \* Use Anti-Cholera and you will have no sick hogs to cure. Your hogs will gain in weight and the meat will be free from disease."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of a mixture essentially of sodium bicarbonate and sulphate, sulphur, iron oxid, and plant material, including fragments of seeds and hulls.

It was alleged in substance in the libel that the article was misbranded for the reason that the cartons enclosing the same and the circulars inside the carton bore and contained the above-named statements, regarding the curative and therapeutic effects of said article and of the ingredients and substances contained therein, which were false and fraudulent in that said drug contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it on the cartons and in the circulars, as aforesaid.

On February 25, 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.*

**8905. Misbranding of The Texas Wonder. U. S. v. 24 Dozen Packages of \* \* \* The Texas Wonder. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 11833, 11834. I. S. Nos. 558-r, 559-r. S. Nos. E-1904, E-1905)

On December 30, 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 24 dozen packages of The Texas Wonder, remaining unsold in the original unbroken packages at Macon, Ga., alleging that the article had been shipped on or about November 15, 1919, and November 26, 1919, 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 as follows: (Both shipments) "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;" (small circular) "Read Carefully Special Directions \* \* \* The Texas Wonder, Hall's Great Discovery \* \* \* Gravel and Rheumatic Troubles it should be taken every night in 25-drop doses until relieved \* \* \*;" (shipment of Nov. 15) (white 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 \* \* \*."

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 so appearing upon the carton label and in the circulars, respectively, were false and fraudulent, since the article con-