

been shipped on or about May 18, 1920, by Plochman & Witt, Chicago, Ill., and transported from the State of Illinois into the State of Nebraska, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, "Plochman & Witt, Chicago, Horseradish Style Prepared Mustard Colored with Turmeric Fifty-one Gals."

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

Misbranding of the article was alleged for the reason that the statement "Horseradish Style Prepared Mustard" was false and misleading, and deceived and misled purchasers into the belief that it was [horseradish style] prepared [mustard] when, in fact, it was not.

On December 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.*

S949. Misbranding of Lozon Pills. U. S. * * * v. 54 Packages of Lozon Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13620, I. S. No. 5349-t. S. No. 2710.)

On September 3, 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 54 packages of Lozon Pills, consigned by the Lafayette Co., Berlin, N. H., on April 24 and April 28, 1920, remaining unsold in the original unbroken packages at Worcester, 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. The article was labeled in part, "Lozon Pills."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the pills consisted essentially of ferrous carbonate, nuxvomica, damiana, arsenic, and a laxative plant drug.

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 effect thereof, (box, English) "Restores Vitality to weak men, whether lost by * * * excesses; of any kind * * * will * * * tone up weak men," (French) "Gives a youthful ardor," (wrapper, English and French) "For Men's Health * * * will * * * tone up weak men * * * No cure no pay," (circular, English) "* * * 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," (both languages) "Dyspepsia Kidney Troubles Rheumatism Affections of the Nerves," were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 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.*