

effects of said article, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the results claimed.

On October 8, 1920, no claimant having appeared for the property, a default decree 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.*

8977. Misbranding of Compound Tansy, Pennyroyal, and Cotton Root Pills and Allan's Star Brand Pills. U. S. * * * v. 4 Boxes of Compound Tansy, Pennyroyal, and Cotton Root Pills and U. S. * * * v. 4 Boxes of Allan's Star Brand Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13754, 13755. Inv. Nos. 23296, 23299. S. Nos. C-2539, C-2540.)

On or about October 7, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 4 boxes of Compound Tansy, Pennyroyal, and Cotton Root Pills and 4 boxes of Allan's Star Brand Pills, at Blytheville, Ark., alleging that the articles had been shipped on or about August 20, 1920, and November 1, 1919, respectively, by the Allan-Pfeiffer Chemical Co., St. Louis, Mo., and transported from the State of Missouri into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples by the Bureau of Chemistry of this department showed that the Compound Tansy, Pennyroyal, and Cotton Root Pills consisted essentially of aloes, ferrous sulphate, and oil of pennyroyal, and that Allan's Star Brand Pills consisted essentially of ferrous sulphate, aloes, and starch.

It was alleged in substance in the libels that the articles were misbranded for the reason that there appeared upon the circulars inclosed in the boxes containing the articles the following statements, regarding the curative and therapeutic effects of said articles, (Compound Tansy Pills) "A safe and effectual remedy in suppressed or painful menstruation * * * Four or five days immediately preceding the expected appearance of the menstrual flow active treatment should begin. Take one pill three times daily * * * To prevent irregularities * * * Take one pill three times daily for four or five days preceding the expected appearance of the menstrual period. For painful menstruation. The same treatment prescribed for suppression," (Allan's Star Brand Pills) "A good remedy in suppressed or painful menstruation * * * to bring on the menses * * * Immediately preceding the expected appearance of the menstrual flow * * * treatment should begin * * * take one pill * * * continue this treatment * * * until a satisfactory result is secured * * * to prevent irregularities * * * take one pill * * * four or five days preceding the expected appearance of the menstrual period * * * For painful menstruation * * * The same treatment prescribed for suppression," all of which statements were false and fraudulent for the reason that the articles contained no ingredients or combination of ingredients capable of producing the effects claimed for them.

On November 22, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8978. Adulteration and misbranding of oil of birch. U. S. * * * v. 1 Can * * * of a Product Purporting to be Oil of Birch. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13861. I. S. No. 6463-t. S. No. E-2874.)

On November 15, 1920, 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

1 can containing 55 pounds of a product purporting to be oil of birch, remaining unsold in the original unbroken package at New York, N. Y., alleging that the article had been shipped on or about October 28, 1920, by T. J. Ray, from Johnson City, Tenn., and transported from the State of Tennessee into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "(Oil Sweet Birch) * * * From T. J. Ray Medicinal Crude Drugs and Essential Oils Newland, North Carolina."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained synthetic methyl salicylate.

Adulteration of the article, considered as a drug, was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the pharmacopœial standard of strength, quality, and purity as determined by the tests laid down in the said United States Pharmacopœia, official at the time of investigation, and its own standard of strength, quality, and purity was not plainly stated upon the container thereof, and for the further reason that its strength and purity fell below the professed standard and quality under which it was sold. Adulteration of the article, considered as a food, was alleged for the reason that a substance, to wit, synthetic methyl salicylate, derived from a source other than birch trees, had been mixed and packed with, and substituted in part for, the article.

Misbranding of the article, considered as a drug, was alleged for the reason that it was an imitation of, and was offered for sale under the name of, another article, to wit, oil of birch. Misbranding of the article, considered as a food, 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, oil of birch.

On December 31, 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.*

8979. Adulteration of Mexican Hot. U. S. * * * v. 2 Barrels and 3 Kegs of Mexican Hot
Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13996.
I. S. No. 10436-t. S. No. W-897.)

On or about December 7, 1920, the United States attorney for the District of New Mexico, 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 2 barrels and 3 kegs of Mexican Hot, remaining unsold in the original unopened packages at Las Vegas, N. Mex., alleging that the article had been shipped on June 23, 1920, by the Mexican Hot Co., Colorado Springs, Colo., and transported from the State of Colorado into the State of New Mexico, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Mexican Hot," "From the Mexican Hot Company * * * Colorado Springs, Colorado. No injurious ingredients."

Adulteration of the article was alleged in substance in the libel for the reason that saccharin had been mixed and packed with, and substituted in part for, the article, and for the further reason that said article contained an added poisonous or deleterious ingredient, to wit, saccharin, which might render the article injurious to health, and for the further reason that said article was colored in such a manner that its inferiority was concealed.

On January 18, 1921, 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.*