

of the Food and Drugs Act, as amended. The article was labeled in part, "BRSCO * * * Prepared by BRSCO MEDICINE CO. Nowata, Okla."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of light mineral oil, turpentine, water, creosote, and a small amount of hypophosphites.

It was alleged in substance in the libel that the article was misbranded for the reason that certain statements upon the cartons, containers, and bottles containing the article, and certain statements contained in the circulars accompanying said article, regarding the therapeutic or curative effect thereof, falsely and fraudulently represented it to be effective for the treatment of tuberculosis in its early stages, bronchitis, Spanish influenza, asthma, ordinary coughs and colds, hay fever, and la grippe, whereas said article contained no ingredients or combination of ingredients capable of producing the effects claimed for it.

On November 17, 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.*

9033. Misbranding of E. & I. Treatment. U. S. * * * v. 30 Cartons of E. & I. Treatment. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11471. I. S. No. 15116-r. S. No. E-1821.)

On October 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 30 cartons of E. & I. Treatment, consigned by the Henry S. Wampole Co., Baltimore, Md., remaining in the original unbroken packages at Pottsville, Pa., alleging that the article had been shipped on or about May 17, 1919, and transported from the State of Maryland into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of two preparations, capsules for internal use and a liquid for injection. The contents of the capsules consisted essentially of cubebs, copaiba balsam, alum, and magnesia, and the liquid consisted essentially of zinc chlorid, glycerin, water, and a red coloring matter.

It was alleged in substance in the libel that the product was misbranded for the reason that the circular accompanying it contained the following statements regarding the curative or therapeutic effects of said article and the ingredients or substances contained therein, "Self-Help External & Internal Treatment For the Relief and Prevention of Gonorrhoea (Clap), Blenorhoea (Gleet), Leucorrhoea (Whites), and allied forms of Acute and Inflammatory Mucous Discharges from the Urethra (Urine Canal). * * * There may, however, be cases of Gonorrhoea Sicca, or dry clap, in which there is no discharge. * * * For females the External treatment should alone be used as a vaginal injection * * * If attended with ulceration at the orifice of the vagina, apply pledgets of lint wet with the External treatment. Leucorrhoea or Whites. For Leucorrhoea or Whites use the External treatment as an injection, * * *," which were false and fraudulent in that said article would not produce the curative or therapeutic effects which purchasers are led to expect by said statements, which were applied to said article with a knowledge of their falsity for the purpose of defrauding purchasers thereof.

On November 10, 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.*