

condemnation of 11 packages of Madame Dean female pills, remaining in the original unbroken packages at Norfolk, Va., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on or about December 9, 1919, and transported from the State of Pennsylvania into the State of Virginia, 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 the pills consisted essentially of quinine, aloes, ferrous sulphate, senecio flowers and herb, ginger root, and cornstarch.

Misbranding of the article was alleged in substance in the libel for the reason that the box label, wrapper, booklet, and circulars accompanying the said article bore the following statements regarding the curative and therapeutic effect thereof, (box label and wrapper) "Female Pills * * * give relief in Female Disorders of the menstrual functions. * * * for Painful, Irregular and Scanty Menstruation," (booklet) "* * * irregular, prolonged, or suppressed menstruation. * * * Female Pills afford relief for these ailments. * * * a remedy intended solely for the relief of Amenorrhoea, Dysmenorrhoea, scanty and irregular menstruation, and other derangements of the reproductive system, * * * especially valuable in the functional changes * * * of the menopause or change of life. * * * act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation, and assist in reestablishing or restoring, the menstrual or monthly periods. * * * strengthen and build up the uterine function," (circular) "* * * a great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel, * * * for irregular, painful, scanty or suppressed menstruations, * * * should be taken * * * to assist nature with * * * disorders * * * during the change of life period. * * * Continue with the treatment until they give relief. * * * great relief from Pains or Headache; * * * for suppressed Menstruation, * * * continue their use until relieved * * * take * * * until the menstrual flow commences again * * *" which statements were false and fraudulent in that the said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On September 9, 1921, no claimant having appeared for the property, judgment of the court was entered ordering the destruction of the product by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9707. Misbranding of M. I. S. T. No. 2 nerve tonic. U. S. * * * v. 12 Dozen Packages * * * of M. I. S. T. No. 2 Nerve Tonic. Decree of condemnation and forfeiture permitting product to be released under bond. (F. & D. No. 13821. I. S. No. 10385-t. S. No. W-783.)

On October 28, 1920, the United States attorney for the Southern District of California, 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 packages, each containing 30 capsules, of M. I. S. T. No. 2 nerve tonic, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the M. I. S. T. Co., Toledo, Ohio, on or about August 10, August 17, and September 30, 1920, respectively, and transported from the State of Ohio into the State of California, 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 the capsules consisted essentially of aloes, calomel, a laxative plant drug, and a small amount of methyl salicylate.

Misbranding of the article was alleged in substance in the libel for the reason that it was labeled in part on the packages and in the accompanying wrapper and circular as follows, (package and wrapper) "M. I. S. T. * * * Nerve * * *," (circular) "For Blood Diseases * * * for Syphilis or Venereal Diseases, Dropsy, Gout, Rheumatism, Tumors, Ulcers, Scrofula, Swellings, Ulcerated Sore Throat, Erysipelas, Cancer or Cancerous Tumors and Inflammation of the Bladder, Stricture and Varicocele * * * for Nervous Diseases * * * M. I. S. T. No. 2 * * * an aid in the treatment of Nervous Diseases * * *" which statements were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On August 17, 1921, the M. I. S. T. Co., Toledo, Ohio, having entered an appearance as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act, conditioned in part that the product be relabeled in a manner satisfactory to this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9708. Adulteration of tomato catsup. U. S. * * * v. 750 Cases of Tomato Catsup * * * Decree of condemnation and forfeiture. Product ordered released under bond for destruction, the containers to be retained by claimant. (F. & D. No. 13858. I. S. No. 10142-t. S. No. W-787.)

On November 12, 1920, the United States attorney for the Western District of Washington, 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 750 cases of tomato catsup, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the T. A. Snider Preserve Co., from Mount Carmel, Ill., September 14, 1920, and transported from the State of Illinois into the State of Washington, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Snider's Tomato Catsup * * * Manufactured by the T. A. Snider Preserve Company, Chicago, U. S. * * *"

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy and decomposed vegetable substance.

On December 7, 1920, Spohn and Russell having entered an appearance as claimant for the property, judgment was entered ordering that upon payment of the costs of the proceedings and the execution of a bond in the sum of \$4,000, in conformity with section 10 of the act, the product be released to said claimant to be shipped to Mount Carmel, Ill., for the purpose of destruction, and that the bottles or containers remain the property of the claimant.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9709. Adulteration and misbranding of Hol-Gin and Mexicola Hot. U. S. * * * v. 16 Gallons * * * of Hol-Gin and 16 Gallons * * * of Mexicola Hot. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14173, 14174. Inv. Nos. 27351, 27353. S. Nos. C-2683, C-2684.)

On January 24, 1921, 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 16 gallons of Hol-Gin and 16 gallons of Mexicola Hot, the former at Grady, Ark., and the latter at Lake Village, Ark., alleging that the articles had been shipped on or about December 9 and 7, 1920, respectively, by the Red Cross Mfg. Co., St. Louis, Mo., and transported from the State of Mis-