

and condemnation of 60 barrels of cider vinegar, remaining unsold in the original unbroken packages at Jersey Shore, Pa., alleging that the article had been shipped by the Powell Corp., Canandaigua, N. Y., on or about March 12 and April 30, 1920, respectively, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, (barrel) "Pure Cider Vinegar Made from Apples Reduced to 4% * *

Adulteration of the article was alleged in the libel for the reason that apple waste vinegar had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the labeling, to wit, "Pure Cider Vinegar Made From Apples," was false and misleading and deceived and misled the purchaser into the belief that the said article was made from apples, whereas, in truth and in fact, it contained vinegar made from apple waste. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, pure cider vinegar.

On November 9, 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.

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

9799. Misbranding of Dr. Franklin's Restorative Tablets Velcas. U. S. * * * v. 16 Dozen Packages of Dr. Franklin's Restorative Tablets Velcas. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 13828. I. S. No. 9752-t. S. No. E-2842.)

On November 5, 1920, the United States attorney for the District of Porto Rico, 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 16 dozen packages of Dr. Franklin's Restorative Tablets Velcas, at San Juan, P. R., alleging that the article had been shipped by the Eneglotaria Medicine Co., New York, N. Y., on or about April 14, 1919, and transported from the State of New York into the island of Porto Rico, 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, lavender-colored pills containing cascara extractives, iron, manganese, calcium, an iodid, and nuxvomica, and orange-colored pills containing aloes.

It was alleged in substance in the libel that the article was misbranded so as to deceive the purchaser thereof, in that the following statements regarding its curative and therapeutic effect, (bottle) "Dr. Franklin's Restorative Tablets Velcas For diseases of the blood and nerves * * *," (wrapper) "Guaranteed under the Food and Drugs Act June 30, 1906, No. 1481. Dr. Franklin's Restorative Tablets Velcas Special formula * * * for the treatment of diseases of the blood and nerves * * * purifies * * * the blood; * * * They cure Nervousness, Neuralgia, * * * Chronic Catarrh, Eruptions (ordinary or malignant) various Diseases of the Heart, Rheumatism and Sciatica, Sores, Ulcers, Scrofula, certain kinds of Paralysis, Syphilitic Infections, etc. Unrivalled for the treatment of Lack of Vigor and Constitutional Debility in men and women * * *" (circular) "* * * Dr. Franklin's Restorative Tablets Velcas * * * contains the best medicament existing for the diseases of the blood and nerves. * * * We are interested in your

cure * * * After this period has elapsed Dr. Franklin's Restorative Tablets will prepare the future mother for easy parturition. * * * We do not believe that there is a single case of anemia which is not curable with Dr. Franklin's Restorative Tablets. * * * their specific action is not limited to the most simple manifestations of nervous disorders, as Neuralgia, Hysteria, or that multitude of troubles commonly known as Nervousness. Dr. Franklin's Restorative Tablets * * * go beyond that as shown by many cases of Partial Paralysis and even of Locomotor Ataxia cured in different countries. * * * In cases of Paralysis and Ataxia unless there is the firm resolution of persisting in the use of the medicament * * * This treatment (Pastilles, baths, rubbing) is convenient in all nervous diseases and indispensable in cases of Paralysis, Ataxia and Nervous Prostration. To restore the nerves, no matter what symptoms, there is nothing which can compare with Dr. Franklin's Restorative Tablets. Purifying the blood * * * the most adequate to * * * purify the blood. * * * Pastilles are of sure result in cases of anemia and chlorosis * * * in all diseases of the blood manifested in the form of Eruptions (Pimples, etc.), Erysipelas, Herpes, Ulcers and Sores, even when being of syphilitic nature, Dr. Franklin's Restorative Tablets are a specific * * * They are restorative and their mission is much more important—to make bad humors disappear—the poison—of the blood, and to purify it to such an extent that there is no origin for sores. * * * Scrofula. Dr. Franklin's Restorative Tablets * * * supply pure blood. Their effect in scrofulous diseases is admirable. * * * Mental Exhaustion, Loss of Memory, etc. * * * Debility, Emaciation, * * * Diseases of Men. * * * the most notable success of this preparation as regards the restoring of man's vigor * * * special virtue * * * hundreds of men and women are indebted to Dr. Franklin's Restorative Tablets for being fathers and mothers. Among those hundreds there are several old people. * * * to Dr. Franklin's Restorative Tablets the recovery of vigor and energy. * * * Paludic Fever. * * * La Grippe or Influenza. * * * Rheumatism. * * * Catarrh. * * * Pulmonary Phthisis. Which have been cured with the use of Dr. Franklin's Restorative Tablets * * * We repeat that the method consisting of living in the open air as much as possible, taking good food and Dr. Franklin's Restorative Tablets has saved many phthisic people. Epilepsy. * * * in a considerable number of cases a radical cure has been effected. * * * But we may assure: 1st. That by taking Dr. Franklin's Restorative Tablets for some time the attacks diminish in intensity as well as in frequency. 2nd. That there is always the possibility of a complete cure. 3rd. That none of the remedies advertised as 'infallible specific' for these epileptic attacks surpasses Dr. Franklin's Restorative Tablets * * *," were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 28, 1921, the Dr. Richards Dyspepsia Tablet Association, New York, N. Y., claimant, having consented to a decree without admitting or denying the allegations of the libel, 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 \$200, in conformity with section 10 of the act.

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