

article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 5, 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.

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

9803. Adulteration of fava beans. U. S. * * * v. 165 Bags of Fava Beans. Decree finding product to be adulterated and ordering its release under bond. (F. & D. No. 13574. I. S. No. 10067-t. S. No. W-744.)

On August 31, 1920, the United States attorney for the District of Utah, 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 165 bags of fava beans, remaining in the original unbroken packages at Ogden, Utah, alleging that the article had been shipped by W. B. Stewart, San Mateo, Calif., on or about August 20, 1920, and transported from the State of California into the State of Utah, and was then en route to its destination, New York, N. Y., and charging adulteration in violation of the Food and Drugs Act.

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

On October 9, 1920, the Glanzer Brothers, San Francisco, Calif., having entered an appearance as claimant for the property, judgment was entered finding the matters charged in the libel to be true and declaring the product to be adulterated, 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 \$1,000, in conformity with section 10 of the act, conditioned in part that it be sorted under the supervision of this department and that only such portion thereof as might be approved by this department be disposed of.

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

9804. Misbranding of Lewis' nerve pills. U. S. * * * v. 3 Dozen Boxes of Lewis' Nerve Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13586. Juv. No. 18309. S. No. C-2113.)

On August 24, 1920, the United States attorney for the Western District of Texas, 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 3 dozen boxes of Lewis' nerve pills, at San Antonio, Tex., alleging that the article had been shipped by the A. H. Lewis Medicine Co., St. Louis, Mo., on or about August 25, 1919, and transported from the State of Missouri into the State of Texas, 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 phosphorus, strychnine, and iron phosphate.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing on the carton containing the article, regarding the curative and therapeutic effect thereof, "*** * * Highly recommended for Nervousness, General Debility, Lack of Energy, Self Distrust, Loss of Memory and Diseases arising from Mental Worry, Overwork, Excesses, Etc.,**" were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 4, 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.

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

9805. Misbranding of Wendell's Ambition pills. U. S. * * * v. 28 Packages * * * of * * * Wendell's Ambition Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13625. Inv. No. 23529. S. No. C-2467.)

On September 2, 1920, the United States attorney for the Western District of Missouri, 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 28 packages, consisting of 24 small sized and 4 large sized packages, of Wendell's Ambition pills, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the Wendell Pharmacal Co., Syracuse, N. Y., on or about May 29, 1920, and transported from the State of New York into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The small sized packages were labeled in part, (carton) "* * * Pills Ambition Brand sized packages were labeled in part, (carton) "* * * Pills Ambition Brand Beneficial in the treatment of * * * Nervous Debility, Sleeplessness, Digestion, * * * Affections of the Nervous System." The large sized packages were labeled in part, (carton) "* * * Ambition Pills The Great Nerve Tonic. * * * Nervous Debility, Weakness, * * * Kidney * * * Complaints, Malaria, Rheumatism, Neuralgia, Exhausted Nervous Vitality, Nervous Prostration, Sleeplessness, Despondency, Mental Depression, Hysteria, Numbness, Trembling, Nervous Headaches, Dyspepsia, Indigestion, * * * and all affections of the Nervous System."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained nux vomica extractives, quinine, and aloin.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing in the label of the cartons, regarding the curative and therapeutic effects thereof, 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 October 7, 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.*

9806. Adulteration and misbranding of ice cream flavor. U. S. * * * v. 10 Gallons of Ice Cream Flavor. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13687. I. S. No. 7810-t. S. No. E-2643.)

On September 16, 1920, the United States attorney for the Middle 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 10 gallons of ice cream flavor which had been represented to be high grade vanilla extract, remaining unsold in the original unbroken packages at Huntingdon, Pa., alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., on or about June 14, 1920, and transported from the State of Missouri into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "A-XXXX Ice Cream Flavor Concentrated * * *"