

thereof, appearing on the label of the carton containing the article and in an accompanying circular, to wit, (carton) “\* \* \* Relieves Cases of obstructions of long standing and the Regulation of Female Complaints,” (circular) “\* \* \* Sure Relief in cases of obstructions of long standing and the Regulation of all Female Complaints. \* \* \* safe and sure as a monthly regulator. \* \* \* Suppression of menstruation \* \* \* The object of this remedy is to relieve this abnormal condition, and long experience in its use has demonstrated beyond a doubt its efficacy. \* \* \* no experiment, but an assured success, and all who require a remedy of this kind should use Red Cross Tansy Pills. \* \* \* For Suppressed Menstruation, for Painful Menstruation, and a Preventive for Irregular Menstruation,” were false and fraudulent in that the said statements were applied to the article so as to represent falsely and fraudulently, and to create in the minds of purchasers thereof the impression and belief, that the said article was effective as a remedy for the suppression of the menstrual function, when, in truth and in fact, it contained no ingredients or combination of ingredients capable of producing the therapeutic effects claimed.

On June 28, 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.*

**9809. Misbranding of digester tankage. U. S. \* \* \* v. The McMillen Company, a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 13917. I. S. No. 11090-r.)**

On April 25, 1921, the Grand Jurors of the United States within and for the District of Indiana, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district returned in the District Court of the United States for the district aforesaid an indictment against the McMillen Co., a corporation, Fort Wayne, Ind., charging shipment by said company, in violation of the Food and Drugs Act, on or about December 4, 1919, from the State of Indiana into the State of Michigan, of a quantity of Magic Brand digester tankage which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 57.53 per cent of protein.

Misbranding of the article was charged in the indictment for the reason that the statement, to wit, “Guarantees this \* \* \* Tankage to contain not less than \* \* \* 60.0 per cent. of crude protein,” borne on the tag attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the said article contained not less than 60 per cent of crude protein, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 60 per cent of crude protein, whereas, in truth and in fact, it did contain less than 60 per cent of crude protein, to wit, approximately 57.53 per cent.

On May 7, 1921, a plea of guilty to the indictment was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

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

**9810. Misbranding of canned salmon. U. S. \* \* \* v. Tallant-Grant Packing Co., a Corporation. Plea of guilty. Fine, \$100. (F. & D. No. 11135. I. S. No. 14285-r.)**

On March 9, 1921, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Tallant-Grant

Packing Co., a corporation, Astoria, Oreg., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 4, 1918, from the State of Oregon into the State of New York, of a quantity of canned salmon which was misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of chinook salmon.

Misbranding of the article was alleged in the information for the reason that the label appearing on the cases containing the said article, to wit, "Columbia River Salmon," was false and misleading in that it represented to purchasers thereof that the said article was Columbia River salmon, whereas, in fact and in truth, it was California salmon; for the further reason that it was falsely branded as to the State wherein it was produced, as follows, "Packed at Astoria, Oregon," so as to represent to purchasers thereof that it was packed in Oregon, whereas, in fact and in truth, it was packed in California; and for the further reason that the said article was an imitation of, and was sold under the name of, another article, to wit, Columbia River salmon, whereas, in fact and in truth, it was California salmon.

On August 8, 1921, a plea of guilty to count 2 of the information charging misbranding was entered on behalf of the defendant company, and the court imposed a fine of \$100.

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

**9811. Misbranding of Robert J. Pierce's Empress Brand tansy, cotton root, pennyroyal, and apiol tablets. U. S. \* \* \* v. 12 Packages \* \* \* of \* \* \* Robert J. Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal, and Apiol Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13488. Inv. No. 10500. S. No. C-2330.)**

On August 20, 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 12 packages, more or less, of Robert J. Pierce's Empress Brand tansy, cotton root, pennyroyal, and apiol tablets, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by Robert J. Pierce, Inc., New York, N. Y., on or about August 3, 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 article was labeled in part: (Box) " \* \* \* Tansy, Cotton Root, Pennyroyal and Apiol Tablets A Safe Emmenagogue. Always Reliable And Effective. The Best Known Remedy For The Suppression Of The Menstrual Function "; (circular) " \* \* \* Tansy, Cotton Root, Pennyroyal and Apiol Tablets \* \* \* The Celebrated Female Regulator \* \* \* Delayed Menstruations When the suppression is of long standing, \* \* \* take one \* \* \* until four days before the time when the menses should appear. \* \* \* immediately preceding the expected appearance of the menstrual flow, active treatment should begin. Take one \* \* \* three times daily, \* \* \* follow instructions \* \* \* until the desired result is obtained. \* \* \* Irregularities Where the menses are not regular, \* \* \* are invaluable. Take \* \* \* before the expected appearance of the menstrual period."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of aloes, ferrous sulphate, pennyroyal, and unidentified plant extractives.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing in the labels and printing on the