

from lung * * * trouble which has not passed the incipient stage, * * * you are using the best medicine known for such afflictions when you use Lung Germine. * * * consumption * * * What To Do For Hemorrhage * * * bleeding from the lung, * * * What To Do For Persistent Night Sweats. Night sweats are a commonly recognized symptom of tuberculosis * * * Consumption * * * tuberculosis * * * tubercle bacilli * * * germs of tuberculosis * * *," (other languages) " * * * Lung Germine for chronic lung * * * affections * * * Lung Germine for chronic lung or bronchial diseases * * *," were false and fraudulent in that the said article would not produce the curative or therapeutic effects which purchasers were led to expect from the said statements, which were applied to the said article with a knowledge of their falsity for the purpose of defrauding purchasers thereof. Misbranding was alleged in substance for the further reason that the bottle and carton labels contained the statement, "Alcohol 10% by Volume," regarding the said article and the ingredients and substances contained therein, which was false and misleading in that the said statement indicated to the purchaser that the package contained alcohol 10 per cent by volume, when in fact it did not.

On August 16, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were 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.*

9898. Misbranding of oil. U. S. * * * v. 13 Cans * * * of La Provence Brand Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15237. I. S. No. 8079-t. S. No. E-3471.)

On July 23, 1921, 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 13 cans of La Provence Brand vegetable oil, consigned by the Littauer Oil Co., Guttenberg, N. J., remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped from Guttenberg, N. J., on or about June 10, 1921, and transported from the State of New Jersey into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Can) "La Provence Brand Oil * * * Littauer Oil Co. Guttenberg, N. J. One Gallon."

Misbranding of the article was alleged in substance in the libel for the reason that the statement on the label "One Gallon" was false and misleading and deceived and misled the purchaser and for the further reason that the said article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 22, 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.*

9899. Misbranding of Pierce's Empress Brand tansy, cotton root, pennyroyal, and apiol tablets. U. S. * * * v. 9 Dozen Packages of Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal, and Apiol Tablets. Default decree ordering destruction of the product. (F. & D. No. 15292. Inv. No. 32979. S. No. E-3485.)

On or about August 2, 1921, the United States attorney for the Eastern District of Virginia, 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 9 dozen packages of Pierce's Empress Brand tansy, cotton