

State of Pennsylvania, 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 essentially of a solution of Epsom salt in water, sweetened, flavored, and colored with caramel.

Misbranding of the article was alleged in the labels for the reason that the label thereof bore statements of guaranty and serial number and the statement, "A Purely Vegetable Compound," which were false and misleading. Misbranding was alleged in substance for the further reason that the following statements appearing on the cartons and bottles containing the said article, regarding the curative and therapeutic effects thereof, (bottle) "* * * Nervine The Great Nerve Tonic and Blood Purifier. * * * For Liver Complaint, Female Weakness, Nervous Affections, Rheumatism, Kidney Trouble, Dyspepsia, Indigestion, * * * Biliousness and Catarrh * * * Nervous Diseases, Pains in the Heart and Shoulders, * * * Indigestion, Headache, Heartburn, Loss of Appetite, Dizziness, Numbness, Nausea, Fluttering of the Heart, Faintness, Rheumatism and Kidney Trouble. * * * Nervous Prostration and Female Complaints * * * It strengthens the nerves, Purifies the Blood, Tones up the System, Makes New, Rich Blood, Clear Skin, and Ensures Perfect Health," (carton) "* * * Nervine. The Great Tonic, Nervine and Blood Purifier * * *. It Strengthens the Nerves, Purifies the Blood, Tones Up the System, Makes New, Rich Blood, Clear Skin, * * * The Great Nerve and Blood Tonic. * * * It acts upon the glandular system, increasing the functional activity of the body, it at once makes known its wonderful power of renovating and enriching the blood, and invigorates the whole system. As a remedy for diseases of the Stomach, Liver and Kidneys, Dyspepsia, Indigestion, Loss of Appetite, Sick Headache, Dizziness, Female Weakness, Nervous Prostration, Emaciation, General Debility, Rheumatism, Heart Trouble, Eruptions of the Skin, Pimples, Boils, Tumors, Scrofulous Affections, Cancerous Humors, Salt Rheum, Catarrh, Ringworm, Carbuncles, Ulcers and Sores, Syphilitic Affections, Malarial Poison, Pain in the Bones, or in fact any disease originating from an impure state or low condition of the blood and nerves, * * * While eradicating and expelling the germs of disease, it at the same time builds up and invigorates, giving new life and energy to the whole system * * *," were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 28 and December 9, 1921, respectively, 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.*

10067. Adulteration of Creole dinner. U. S. * * * v. 15 Cases * * * of Creole Dinner. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14974. I. S. No. 12753-t. S. No. C-3072.)

On June 2, 1921, the United States attorney for the Southern 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 15 cases of Creole dinner, at Houston, Tex., alleging that the article had been shipped by the McIlhenny Co., New Iberia, La., on or about November 8, 1920, and transported from the State of Louisiana into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Creole Dinner * * * Packed by McIlhenny Co., Avery Island, La."

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

On October 11, 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.*

10068. Adulteration and misbranding of grape juice. U. S. * * * v. 17 Cases of California Concord Grape Juice. Default decree of condemnation and forfeiture. Product ordered sold or distributed to charitable institutions. (F. & D. No. 14991. I. S. No. 10668-t. S. No. W-977.)

On or about June 27, 1921, the United States attorney for the 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 con-

demnation of 17 cases of Concord grape juice, remaining unsold in the original unbroken packages at Yakima, Wash., alleging that the article had been shipped on or about February 25, 1920, and transported from the State of California into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Bottle) "California Concord * * * Unfermented Grape Juice Manufactured By G. Maselli * * * Distributors Uva Grape Products Co., Fresno, California."

Adulteration of the article was alleged in the libel for the reason that a juice of a grape other than Concord, containing an artificial flavor and added phosphoric acid, had been substituted wholly or in part for juice made from the Concord grape.

Misbranding was alleged in substance for the reason that the article was a juice of an inferior variety of grapes, fortified with artificial flavor and was an imitation of, and was offered for sale under the distinctive name of, another article and for the further reason that the statement on the bottles containing the said article, to wit, "Concord Grape Juice," was false and misleading and deceived and misled the purchaser when applied to a product consisting of a mixture of grape juice, artificial flavor, and added phosphoric acid.

On October 11, 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 sold by the United States marshal or distributed to charitable institutions.

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

10069. Misbranding of Nervosex tablets. U. S. * * * v. 4 Boxes * * * of Drug Products. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15165. Inv. No. 30885. S. No. C-3121.)

On July 19, 1921, the United States attorney for the Southern 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 4 boxes of drug products, at Groveton, Tex., alleging that the article had been shipped by the United Laboratories, St. Louis, Mo., on or about August 20, 1920, 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. The article was labeled in part: "Nervosex Tablets. A compound of Nerve and Muscle Stimulants for Low Vitality, Lack of Energy, Sexual Weakness * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets contained, essentially, extract of plant material, including nux vomica, and compounds of iron, calcium, zinc, and phosphorus.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted label appearing upon the box containing the said article, regarding the curative or therapeutic effects thereof, was false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On October 11, 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.*

10070. Misbranding of cottonseed meal and cake. U. S. * * * v. Dallas Oil & Refining Co., a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 8570. I. S. Nos. 20347-m, 20348-m.)

On March 6, 1918, the United States attorney for the Northern District of Texas, 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 Dallas Oil & Refining Co., a corporation, Dallas, Tex., alleging shipment by said company, on or about February 28, 1917, in violation of the Food and Drugs Act, as amended, from the State of Texas into the State of Kansas, of quantities of cottonseed meal and cottonseed cake which were misbranded.

Analysis of a sample of the cottonseed cake by the Bureau of Chemistry of this department showed that it contained approximately 39.75 per cent of protein. Analysis of a sample of the cottonseed meal by said bureau showed that it contained approximately 38.57 per cent of protein and 13.97 per cent of crude fiber.