

United States Department of Agriculture.

SERVICE AND REGULATORY ANNOUNCEMENTS.

BUREAU OF CHEMISTRY.

SUPPLEMENT.

N. J. 10601-10650.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., October 31, 1922.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

10601. (Supplement to Notice of Judgment 10283. To correct name of claimant.) Adulteration and misbranding of cider vinegar. U. S. * * * v. 10 Barrels of Alleged Cider Vinegar. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 13833. I. S. No. 5386-t. S. No. E-2852.)

On June 20, 1922, Notice of Judgment No. 10283 was issued by this department relative to the termination of the above-cited case, and said notice of judgment made it appear that the National Association of Cider Manufacturers was the claimant for the property. The claimant in fact was F. E. Jewett & Co., a co-partnership, composed of Frank E. Jewett, Victor F. Jewett, and Harold Jewett, Lowell, Mass., the National Association of Cider Manufacturers having withdrawn their appearance theretofore entered.

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

10602. Misbranding of Haskin's Nervine. U. S. * * * v. 10 Bottles of * * * Haskin's Nervine. Default decree ordering destruction of the product. (F. & D. No. 14458. Inv. No. 26278. S. No. E-3127.)

On February 12, 1921, the United States attorney for the Northern District of West 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 10 bottles of Haskin's Nervine, remaining unsold in the original unbroken packages at Clarksburg, W. Va., alleging that the article had been shipped by the Haskin Medicine Co., Binghamton, N. Y., on or about January 6, 1921, and transported from the State of New York into the State of West Virginia, 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 a sweetened, flavored, and colored solution of Epsom salt.

Misbranding of the article was alleged in the libel for the reason that the label bore the statement, "A Purely Vegetable Compound," together with guaranty statement and serial number, which was false and misleading. Misbranding was alleged in substance for the further reason that the following statements appearing on the labels of the bottles and cartons containing the said article, (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, Malaria [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 September 29, 1921, no claimant having appeared for the property, judgment of the court was entered finding the product to be misbranded and ordering its destruction by the United States marshal.

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

10603. Adulteration and misbranding of bakers' whip, U. S. * * * v. 6 Pounds of * * * Bakers' Whip. Default decree ordering destruction of the product. (F. & D. No. 14828. I. S. No. 8476-t. S. No. B-3331.)

On June 1, 1921, the United States attorney for the Northern District of West 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 6 pounds of bakers' whip, remaining in the original packages at Martinsburg, W. Va., alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., on or about April 1, 1921, and transported from the State of Missouri into the State of West Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Bakers' Whip * * * Manufactured exclusively by W. B. Wood Mfg. Co. * * *."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted chiefly of baking powder, starch, and a small amount of gum, colored with coal-tar dye and containing no eggs, which had been mixed and packed with and substituted wholly for the said article, and for the further reason that it was mixed and colored in a manner whereby damage and inferiority were concealed.

Misbranding was alleged in substance for the reason that the statements on the label of the can containing the article, to wit, "Bakers' Whip An Egg Substitute Saves Time Saves money If you are looking for something to use in place of Eggs, this is it. There Is No Other Each one pound of Bakers' Whip is equal in strength to 50 Eggs, and should be used in like proportion. Dissolve one-fourth pound of Bakers' Whip in one pint of warm water. Stir well and it is ready to use. * * * When you consider each one-fourth lb. of Bakers' Whip is equal to about 13 eggs, you can readily determine its use. * * * Do Not Accept Imitations. This Is The Original," were false and misleading and deceived and misled the purchaser. 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.

On September 29, 1921, no claimant having appeared for the property, judgment of the court was entered finding the product to be adulterated and misbranded and ordering its destruction by the United States marshal.

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