

troubles * * *," were misleading, false, and fraudulent, that is to say, the said drug contained no ingredient or combinations thereof capable of producing the effects so claimed.

On December 13, 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. F. MARVIN, *Acting Secretary of Agriculture.*

10864. Misbranding of Gold Medal Brand sexual pills. U. S. v. 8 Packages of Gold Medal Brand Sexual Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14468. S. No. C-2806.)

On February 28, 1921, the United States attorney for the Southern District of Mississippi, 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 8 packages of Gold Medal Brand sexual pills, remaining in the original unbroken packages at Hazlehurst, Miss., alleging that the article had been shipped by S. Pfeiffer Mfg. Co., St. Louis Mo., on or about October 27, 1920, and transported from the State of Missouri into the State of Mississippi, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box and carton) "Gold Medal Brand Sexual Pills."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills contained phosphorus and extracts of damiana and nux vomica and were coated with calcium carbonate and sugar.

Misbranding of the article was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effect of the said article, appearing on the labels of the boxes and cartons containing the same, were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effect claimed.

On May 3, 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. F. MARVIN, *Acting Secretary of Agriculture.*

10865. Adulteration of shell eggs. U. S. v. Martin N. Carson. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 14528. I. S. No. 2308-t.)

On May 6, 1921, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Martin N. Carson, trading and doing business under the name and style of M. N. Carson, Conehatta, Miss., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 17, 1920, from the State of Mississippi into the State of Louisiana, of a quantity of shell eggs which were adulterated.

Examination, by the Bureau of Chemistry of this department, of a sample of the article consisting of 360 eggs showed the presence of 42 inedible eggs, or 11.7 per cent, consisting of 17 black rots, 16 mixed or white rots, and 9 spot rots.

On November 8, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

10866. Adulteration and misbranding of egg powder. U. S. v. 2 Barrels of Alleged Egg Powder. Consent decree of condemnation and forfeiture. Product ordered released on bond or sold. (F. & D. No. 15043. I. S. No. 10667-t. S. No. W-976.)

On June 15, 1921, the United States attorney for the Eastern 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 condemnation of 2 barrels of egg powder, remaining unsold in the original unbroken packages at Spokane, Wash., alleging that the article had been shipped on or about January 25, 1921, and transported from the State of Oregon into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Desc. Egg * * * Joe Lowe Co. 239 S. L. A. St. Los Angeles Calif. Contents 200 Lbs. Whole Egg. Directions for the use of Egg Powder (Whole) Joe Lowe * * *"

Adulteration of the article was alleged in substance in the libel for the reason that commercial egg yolk product had been mixed and packed with and substi-

tuted wholly or in part for whole egg, which adulteration reduced and impaired the quality of the product as an article of food.

Misbranding was alleged in substance for the reason that the statements contained on the labels, "Desc. Egg * * * Joe Lowe Co. 239 S. L. A. St. Los Angeles Calif. Contents 200 Lbs. Whole Egg. Directions for the use of Egg Powder (Whole) Joe Lowe * * *," were false and misleading and were calculated to and did deceive and mislead the purchaser, and that the same was labeled so as to offer the contents of said barrels for sale under the name of another article, and for the further reason that the product was an imitation of and substituted for and offered for sale under the distinctive name of another article of food.

On September 17, 1921, the Joe Lowe Co., Los Angeles, Calif., having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal, with the proviso, however, that the product be delivered and restored to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

10867. Misbranding of Prof. Dupree's French specific pills. U. S. v. 5 Gross Packages of Prof. Dupree's French Specific Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15048. I. S. No. 10716-t. S. No. W-986.)

On June 21, 1921, the United States attorney for the Southern District of California, 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 5 gross packages of drugs labeled in part, "Prof. Dupree's French Specific Pills," remaining in the original unbroken packages at Los Angeles, Calif., consigned by the United Drug Exchange, New York, N. Y., alleging that the article had been shipped on or about February 29, 1921, and transported from the State of New York into the State of California, 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 contained aloes, iron sulphate, a trace of tansy oil, and plant drugs, coated with a mixture of sugar, starch, calcium carbonate, and talc, colored, some blue, others pink.

Misbranding of the article was alleged in substance in the libel for the reason that it was labeled in part in the circulars accompanying it as follows, "* * * For use in the suppression of irregularities of the menses * * * efficient in their results * * * take one pill every two hours, alternating first the blue and then the pink, until the desired effect is produced * * * In cases where the period is irregular * * * commence the use of these pills, three or four days before the expected time by taking one pill every four hours until the time arrives. * * * girls approaching the age puberty, who have not overcome the functional derangements induced by that * * * change * * * can be given these pills with great benefit * * * Reliable," whereas the said drug contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it, and the statements on the labels and packages and in the circulars were false and fraudulent.

On April 19, 1922, 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 disposed of in accordance with the provisions of the Food and Drugs Act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

10868. Adulteration and misbranding of table oil. U. S. v. 79 Cans of Table Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15153. I. S. No. 8363-t. S. No. E-3565.)

On September 2, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 79 cans of table oil, at Washington, D. C., alleging that the article had been sold in the District of Columbia by Ferdinando Sari, Washington, D. C., and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.