

toms. Keep Lung Germine in your home ready for immediate use at the first sign of Membraneous Lung Disease or Bronchial Irritation * * * Treatment For Relief Of Defective Nutrition and for Increasing Strength and General Health where Mucous Membranes are Susceptible to Lung Diseases and Pulmonary Disorganization with Bronchial Irritation (In Pre-tubercular Stages)," which statements on the said labels and cartons were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

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 by the United States marshal according to law.

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

10964. Misbranding of Allan's compound extract of damiana. U. S. v. 10 Bottles of Allan's Compound Extract of Damiana. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14788. S. No. C-2972.)

On August 14, 1921, the United States attorney for the Eastern District of Louisiana, 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 Allan's compound extract of damiana, remaining unsold in the original unbroken packages at Houma, La., alleging that the article had been shipped by the Allan-Pfeiffer Chemical Co., St. Louis, Mo., on or about February 5, 1921, and transported from the State of Missouri into the State of Louisiana, 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 extracts of plant drugs, including nuxvomica, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding the curative and therapeutic effect of the said article, appearing on the labels of the bottle and carton containing the same, (bottle and carton) " * * * A Tonic For Both Sex * * *," (carton) " * * * Aphrodisiac * * * for General Weakness * * * Nervous Debility * * *," together with the design and device of a male figure holding to his lips left hand of female figure and with his right arm at her back, right hand resting on her shoulder holding her right hand, were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed. Misbranding was alleged for the further reason that the article contained alcohol, and the package failed to bear a statement on the label of the quantity or proportion of alcohol contained therein.

On December 7, 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.*

10965. Misbranding of olive oil. U. S. v. 25 Cans, et al., of Olive Oil. Default decrees ordering sale of product. (F. & D. Nos. 15958, 15959, 15960, 15961, 15962, 15963. I. S. Nos. 875-t, 18603-t, 18604-t, 18605-t, 18606-t, 18607, 18609-t, 18611-t. S. Nos. C-3411, C-3412, C-3413, C-3414, C-3415, C-3416.)

On February 8, 1922, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 50 7½-ounce cans, 45 pint cans, 177 quart cans, 61 half-gallon cans, and 9 gallon cans of olive oil, remaining in the original unbroken packages, in part at Indiana Harbor, in part at Gary, and in part at Hammond, Ind., alleging that the article had been shipped in various consignments by Deligiannis Bros., the Nasiacos Importing Co., and Kakarakis Bros., all of Chicago, Ill., between the dates of February 14 and December 30, 1921, and transported from the State of Illinois into the State of Indiana, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was variously labeled in part: "Net Contents One Quart" (or "One Pint") " * * * Pure Olive Oil Universal Brand Deligiannis Bros. Chicago, U. S. A. * * *;" "Contents ½ Gallon 60 Fl. Ozs." (or "Contents ¼ Gallon 30 Fl. Ozs.," "Contents 15 Fl. Oz.," or "Contents 7½ Fl. Oz.") "Athlete Brand Pure Olive Oil * * * Nasiacos Importing Co., Chicago, Ill.," "Contents 1 Quart" (or "Contents 1