

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing in the labeling of the said article, (box and wrapper) "Female Pills * * * give relief in Female Disorders of the menstrual functions * * * for Painful, Irregular and Scanty Menstruation," (circular) "* * * a great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel * * * for irregular, painful, scanty or suppressed menstruations * * * should be taken * * * to assist nature with * * * disorders * * * during the change of life period * * * Continue * * * the treatment until they give relief * * * great relief from Pains or Headache * * * for suppressed Menstruation * * * continue their use until relieved * * * take * * * until the menstrual flow commences again * * * Special Strength * * * should relieve the most obstinate cases," 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 June 22, 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 destroyed by the United States marshal.

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

11171. Adulteration and misbranding of tomato paste. U. S. v. New Central Canning Co., Inc., a Corporation. Plea of guilty. Fine, \$100. (F. & D. No. 14361. I. S. No. 9506-r.)

On June 15, 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 an information against the New Central Canning Co., Inc., a corporation, trading at Los Angeles, Calif., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about December 29, 1919, from the State of California into the State of Louisiana, of a quantity of tomato paste which was adulterated and misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it had been made from partially decayed tomatoes.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding was alleged for the reason that the 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 December 1, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

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

11172. Misbranding of Allan's compound extract of damiana, Bayne's compound extract of damiana, Vitalo, Parrott sexual pills, and Vitalo nerve and muscle tonic. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 15609, 15610, 15611, 15736, 16063, 16064, 16065, 16066. S. Nos. C-3375, C-3306, C-3307, C-3308, C-3433, C-3434, C-3435, C-3436.)

On or about November 26, 1921, January 1 and February 4, 1922, respectively, the United States attorney for the Southern District of Alabama, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 42 bottles of Allan's compound extract of damiana, 27 bottles of Bayne's compound extract of damiana, 48 bottles of Vitalo, 46 bottles of Vitalo nerve and muscle tonic, and 9 boxes of Parrott sexual pills, remaining unsold in the original unbroken packages in various lots, namely, at Mobile, Brewton, and Selma, Ala., alleging that the articles had been shipped by the Allan-Pfeiffer Chemical Co., St. Louis, Mo., between the dates of April 15, 1920, and October 24, 1921, and transported from the State of Missouri into the State of Alabama, and charging misbranding in violation of the Food and Drugs Act, as amended. A portion of the Allan's compound extract of damiana was labeled in part: (Bottle and carton) "A Tonic For Both Sexes;" (carton) "Nerve and Brain Remedy * * * for Hysteria, Dizziness, Convulsions, Nervous Prostration * * * General Weakness * * * In Nervous Debility." The remainder of the Allan's compound extract of damiana and the Bayne's compound extract of damiana were labeled in part: (Bottle) "Tonic For Both Sexes;" (carton)

"* * * Aphrodisiac * * * For General Weakness * * * Nervous Debility." The Vitalo was labeled in part: (Bottle and carton, large and small sizes) "Aphrodisiac;" (carton, small size) "* * * An Aid In Relieving General Weakness." The Vitalo nerve and muscle tonic was labeled in part: (Carton) "For General Weakness * * * Nervous Debility * * * for the Brain and Muscles." The Parrott sexual pills were labeled in part: (Box and circular) "Sexual Pills * * * Recommended For Hysteria, Dizziness, Nervous Prostration, Nervous Debility and General Weakness."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that Allan's and Bayne's compound extracts of damiana consisted of extracts of plant drugs, including nux vomica, sugar, alcohol, and water; that the Parrott sexual pills contained strychnine and a compound of iron and phosphorus, coated with calcium carbonate; and that Vitalo and the Vitalo nerve and muscle tonic consisted of extracts of plant drugs, including damiana and nux vomica, sugar, alcohol, and water.

Misbranding was alleged in substance in the libels with respect to the articles involved in all of the consignments for the reason that the above-quoted statements regarding the curative and therapeutic effects thereof were false and fraudulent since the said articles contained no ingredients or combinations of ingredients capable of producing the effects claimed. Misbranding was alleged with respect to the so-called Vitalo, Vitalo nerve and muscle tonic, and a portion of the Allan's compound extract of damiana for the further reason that the labels of the said articles failed to bear statements of the quantity or proportion of alcohol contained therein.

On March 31, May 20, and October 20, 1922, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

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

11173. Adulteration of egg noodles. U. S. v. John J. Meier (John J. Meier & Co.). Plea of guilty. Fine, \$25 and costs. (F. & D. No. 16027. I. S. No. 175-t.)

On June 16, 1922, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John J. Meier, trading as John J. Meier & Co., St. Louis, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about April 12, 1921, from the State of Missouri into the State of Illinois, of a quantity of egg noodles which were adulterated. The article was labeled in part: "White Cross Brand Egg Nudels * * * Spaghetti and Macaroni John J. Meier & Co. St. Louis, Mo."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was artificially colored and contained little or no egg solids.

Adulteration of the article was alleged in the information for the reason that a mixture containing little or no egg had been substituted for egg noodles which the said article purported to be, and for the further reason that it was a product inferior to egg noodles, to wit, a mixture which contained little or no egg, and was artificially colored with certain coal-tar dyes, to wit, tartrazine and orange I, so as to simulate the appearance of egg noodles, and in a manner whereby its inferiority to said egg noodles was concealed.

On October 23, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

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

11174. Adulteration of chloroform. U. S. v. 800 and 1,500 Tins of Chloroform. Default decree of condemnation and forfeiture. Product ordered disposed of according to law. (F. & D. No. 16469. I. S. Nos. 13973-t, 13974-t. S. Nos. W-1108, W-1121.)

On June 26, 1922, 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 2,300 tins of chloroform, remaining in the original unbroken packages at Los Angeles, Calif., consigned from New York, N. Y., alleging that the article had been shipped in part on or about March 7, 1922, and in part on or about March 10, 1922, and transported in interstate com-