

11177. Adulteration and misbranding of flour. U. S. v. 510 Sacks of Flour. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16668. I. S. No. 7954-v. S. No. W-1166.)

On July 25, 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 510 sacks of flour, remaining in the original unbroken packages at Los Angeles, Calif., consigned by the Salt Lake & Jordan Mill & Elevator Co., Sandy, Utah, alleging that the article had been shipped from Sandy, Utah, on or about July 1, 1922, and transported from the State of Utah into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Capitol Milling Co. Extra Patent No. One Hard Eastern Spring Wheat Extra Bakers Flour Net Weight 98 Lbs. When Packed."

Adulteration of the article was alleged in the libel for the reason that bleached flour had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement, "Capitol Milling Co. * * * 98 Lbs.," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the containers [contents] was not plainly and conspicuously marked on the outside of the package.

On July 31, 1922, the Capitol Milling Co., Los Angeles, having entered an appearance as claimant for the property, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$3,000, in conformity with section 10 of the act, conditioned in part that the said product be relabeled and the said sacks refilled.

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

11178. Adulteration of canned salmon. U. S. v. 487 Cases of Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16830. I. S. No. 10010-v. S. No. C-3774.)

On or about September 26, 1922, the United States attorney for the Northern District of Alabama, 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 487 cases of salmon at Birmingham, Ala., alleging that the article had been shipped by P. E. Harris & Co., Seattle, Wash., on or about December 30, 1921, and transported from the State of Washington into the State of Alabama, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Amelia Brand Chum Salmon, * * * Seattle, U. S. A."

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

On January 5, 1923, 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.*

11179. Adulteration and misbranding of butter. U. S. v. 22 Tubs and 126 Tubs of Butter. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 17028, 17029. I. S. Nos. 2603-v, 2626-v. S. Nos. E-4241, E-4242.)

On December 8, 1922, the United States attorney for the Eastern District of Pennsylvania, 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 148 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Supreme Food Co., Jersey City, N. J., alleging that the article had been shipped from Jersey City, N. J., on or about December 2, 1922, and transported from the State of New Jersey into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that coconut oil or other foreign fat had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article, and was sold as butter.

On January 5, 1923, 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.*

11180. Misbranding of Orange Blossom female suppositories. U. S. v. John A. McGill and Carrie McGill (Dr. J. A. McGill & Co.). Pleas of guilty. Fine, \$50. (F. & D. No. 9787. I. S. No. 9185-p.)

On December 31, 1919, the United States attorney for the Northern District of Illinois, 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 A. McGill and Carrie McGill, copartners, trading as Dr. J. A. McGill & Co., Chicago, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about April 30, 1918, from the State of Illinois into the State of Wisconsin, of a quantity of an article labeled in part: (Design of orange blossoms) "Female Suppositories," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of suppositories containing petrolatum, cocoa butter, boric acid, alum, and sodium sulphate.

Misbranding of the article was alleged in substance in the information for the reason that certain statements appearing in the booklet accompanying the said article, regarding the therapeutic and curative effect thereof, falsely and fraudulently represented it to be effective as a remedy, treatment, and cure for diseases peculiar to women, inflammation, congestion and falling of the womb, anteversion, retroversion and prolapsus, ulceration, leucorrhœa, profuse and difficult menstruation, female weakness, painful menstruation, effective to relieve suffering at childbirth and to relieve the organ of morbid conditions in cases of change of life, and effective to give relief to nervous sick headache, backache, irritation of the stomach, spinal irritation, pain between the shoulders, distressing sensation in the back of the head and nape of the neck, and numbness and coldness of the extremities, when, in truth and in fact, it was not.

On December 15, 1922, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

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

11181. Misbranding of Hobo kidney and bladder remedy. U. S. v. 5 Gross and 2½ Gross Bottles of Hobo Kidney and Bladder Remedy. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 12434, 12435, 12612, 12614, 12615. I. S. Nos. 8875-r, 9480-r, 9677-r, 9678-r, 9841-r, 9842-r. S. Nos. C-1890, C-1895, C-1896, C-1922, C-1923.)

On April 26 and 27, 1920, respectively, the United States attorney for the Northern District of Texas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 7½ gross bottles of Hobo kidney and bladder remedy, remaining in the original packages, in part at Fort Worth, Tex., and in part at Dallas, Tex., alleging that the article had been shipped by the Hobo Medicine Mfg. Co., Shreveport, La., about March 20, 1920, and transported from the State of Louisiana into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Kidney & Bladder Remedy A Vegetable Compound Manufactured From Native Herbs * * * Bright's Disease Acute & Chronic Cystitis Renal & Vesical Pus or Blood in Urine. Incontinence Albuminuria & Ailments caused from Defective (Kidney & Bladder) Elimination * * * One of the Greatest Alteratives * * * Back Ache, Persistent Head Ache * * * Forgetfulness, Weakness and Rheumatism When Caused by Disordered Kidneys, the Same Being True of Inflammation of the Bladder;" (bottle) "Kidney and Bladder Remedy A Vegetable Compound for the Treatment of Brights Disease, Acute and Chronic Cystitis, Renal and Vesical Pus or Blood in Urine, Incontinence and Retention, Albuminuria and all Ailments caused from Defective (Kidneys and Bladder) Elimination;" (booklet) "For nearly three years, Mr. G. D. Horton * * * was a sufferer from Bright's disease in its most malignant form * * * Within three days * * * Mr. Horton was greatly improved, and within two months restored to health without any recurrence of the malady in the intervening years * * * Mr. Horton has named the preparation Hobo Kidney and Bladder Remedy * * * it not only gave speedy relief to all the tortures which kidney and bladder affections [afflictions] entailed, such as incontinence of urine, gravel in the bladder,