

11341. Misbranding of Oculum oil. U. S. v. 3½ Dozen Bottles of Oculum Oil. Default decree ordering destruction of product. (F. & D. No. 11880. I. S. No. 16490-r. S. No. E-1924.)

On January 14, 1920, the United States attorney for the Southern District of Georgia, 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 3½ dozen bottles of Oculum oil at Pineora, Ga., alleging that the article had been shipped by the Hancock Inoculatum Co., Inc., Salem, Va., November 6, 1919, and transported from the State of Virginia into the State of Georgia, 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 essentially of turpentine oil with a small amount of amber oil and an orange-colored dye.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding its curative and therapeutic effect, appearing upon the labels of the bottles containing the said article and in the accompanying circular, (bottle) "Oculum Oil * * * Remedy And Preventive For Hog Cholera," (circular) "Oculum Oil * * * Will Knock The Cholera * * * If a hog has the Cholera, feed 15 drops * * * and also inoculate the hog by injecting 'Oculum Oil' * * * Farmers * * * are bad off for something to check Hog Cholera and since the 'Oculum Oil' you sent * * * has proven to be the solution of the problem I feel safe to recommend it * * * A neighbor lost 20 fine hogs with Cholera last year, and though mine were within four hundred yards of his, I had no sickness. I believe 'Oculum Oil' saved them," were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effect claimed.

On November 6, 1922, no claimant having appeared for the property, judgment of the court was entered ordering that the product be destroyed by the United States marshal.

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

11342. Misbranding of Madame Dean female pills. U. S. v. 18 Packages of Madame Dean Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13279. S. No. E-2605.)

On September 9, 1920, the United States attorney for the Southern District of Georgia, 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 18 packages of Madame Dean female pills, remaining unsold in the original packages at Augusta, Ga., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on or about June 23, 1916, and transported from the State of Pennsylvania into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box and wrapper) "Female Pills * * * give relief in Female Disorders of the menstrual functions * * * for Painful, Irregular and Scanty Menstruation;" (booklet) "* * * irregular, prolonged, or suppressed menstruation * * * Female Pills afford relief for these ailments * * * a remedy intended solely for the relief of Amenorrhoea, Dysmenorrhoea, scanty and irregular menstruation, and other derangements of the reproductive system * * * especially valuable in the functional changes * * * of the menopause or change of life * * * act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation, and assist in re-establishing or restoring, the menstrual or monthly periods * * * strengthen and build up the uterine function;" (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 * * * scanty or suppressed menstruations * * * should be taken * * * to assist nature with those disorders that usually attend them during the change of life period * * * Continue with 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."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills contained quinine, aloes, iron sulphate, senecio flowers and herb, ginger, and cornstarch.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing on the said package, booklet, and circular were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed.

On October 11, 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.*

11343. Misbranding of phosphorus, nux, and damiana compound. U. S. v. 5 Dozen Bottles of Phosphorus, Nux, and Damiana Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13711. I. S. No. 9211-t. S. No. E-2759.)

On September 23, 1920, the United States attorney for the Southern District of Georgia, 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 dozen bottles of phosphorus, nux, and damiana compound, remaining unsold in the original bottles at Savannah, Ga., alleging that the article had been shipped by Henry S. Wampole Co., Baltimore, Md., on or about June 5, 1920, and transported from the State of Maryland into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton and bottle) "For an exhausted nervous system, Nervous weakness and Lost Vitality, Impotence, Insomnia, Hysteria, Nervous Depression and other Diseases of the Brain and Nerves Of Both Sexes * * * Renewing Strength, Restoring Lost Vitality and Increasing all the Physical Powers."

Analysis of a sample of the article by the Bureau of Chemistry of this department, showed that it consisted essentially of alkaloids of nux vomica, damiana extractives, phosphorus, and celery, in alcohol and water.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing on the carton and bottle containing the article were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed.

On March 6, 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*

11344. Adulteration and misbranding of Honey Boy brand nonalcoholic cordial. U. S. v. 10 Kegs of Honey Boy Brand Nonalcoholic Cordial. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13963. I. S. Nos. 9228-t, 9229-t. S. No. E-2883.)

On October 29, 1920, the United States attorney for the Southern District of Georgia, 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 kegs of Honey Boy brand nonalcoholic cordial, remaining unsold in the original packages at Brunswick, Ga., alleging that the article had been shipped by the Honey Boy Cordial Co., St. Louis, Mo., on or about October 19, 1920, and transported from the State of Missouri into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Keg) "Honey Boy Brand 16 Gallons Non-Alcoholic Cordial Razzle Dazzle * * * Manufactured By The Honey Boy Cordial Co. St. Louis, Mo. New Orleans, La."

Adulteration of the article was alleged in substance in the libel for the reason that an artificially colored solution of glucose and saccharin had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article was colored in a manner whereby damage or inferiority was concealed, and for the further reason that it contained an added poisonous and deleterious ingredient, saccharin, which might render said article injurious to health.

Misbranding was alleged for the reason that the statement on the label, "Honey Boy Brand Non-Alcoholic Cordial," was false and misleading 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, to wit, cordial.