

United States Department of Agriculture.

SERVICE AND REGULATORY ANNOUNCEMENTS.

BUREAU OF CHEMISTRY.

SUPPLEMENT.

N. J. 11501-11550.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., October 9, 1923.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

11501. Misbranding of Texas Wonder. U. S. v. 2 Dozen Bottles of Hall's Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12868. S. No. E-2357.)

On June 9, 1920, the United States attorney for the Northern 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 praying the seizure and condemnation of 2 dozen bottles of Hall's Texas Wonder, remaining in the original unbroken packages at Rome, Ga., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., on or about May 5, 1920, and transported from the State of Missouri into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Hall's Texas Wonder * * * A Remedy For Kidney and Bladder Troubles Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, guaiac resin, extracts of rhubarb and colchicum, an oil similar to turpentine oil, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements regarding the therapeutic, curative, and preventive effects of the article, appearing on the cartons containing the same, were false and fraudulent in that the said statements were applied to the article so as to represent falsely and fraudulently to the purchaser thereof and to create in the mind of such purchaser the impression and belief that it was effective as a remedy, cure, and preventive of kidney and bladder troubles, weak and lame backs, rheumatism, gravel, and to regulate bladder trouble in children, whereas, in truth and in fact, it contained no ingredient or combination of ingredients capable of producing such effects.

On November 19, 1920, 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.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11502. Misbranding of Oculum oil. U. S. v. 11 Bottles and 5 Bottles of Oculum Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14639. I. S. No. 8704-t. S. No. E-3186.)

On or about May 6, 1921, the United States attorney for the Southern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 11 bottles, 50-cent size, and 5 bottles,

\$1 size, of Oculum oil, at Coaldale, W. Va., alleging that the article had been shipped by the H. I. Co., Inc., Salem, Va., January 25, 1921, and transported from the State of Virginia into the State of West Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Destroys Disease Germs In Animals Remedy And Preventive For Hog Cholera * * * When Animal Is Sick * * * Treble the dose;" (circular) "To relieve sick animals * * * Sick hogs, sick sheep and other animals, have been quickly relieved by 'Oculum' Oil. * * * Sick Hogs and Sick Sheep have been Quickly Relieved by its Magic Power; Sick Horses and Sick Cattle have been made well again by its use. * * * It kills germs * * * in the organs of animals. * * * 'Oculum Oil' keeps hogs healthy * * * During the Spring of 1915 I lost 34 out of 45 shoats with what our County Demonstrator pronounced Cholera. In May I got 'Oculum Oil' and treated two that were real sick with it; I inoculated them twice; they got well within one week. I then fed all the surviving 11 'Oculum Oil' in the slop, and they have never been sick a day since. In June they rooted up one of the dead hogs and had eaten it partly up, when I discovered them. I fed them more 'Oculum Oil,' and not one got sick * * * it will cure any case of pneumonia in hogs when taken in reasonable time. * * * had a sick hog and gave 'Oculum Oil' with good results. * * * hogs * * * cholera developed. We have saved three out of five by use of 'Oculum Oil.' * * * had some hogs to get sick; one died before he got 'Oculum Oil' from me; he saved the others."

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 quantity of amber oil and an orange-colored dye.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effect of the said article were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On April 27, 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.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11503. Adulteration of tomato catsup. U. S. v. 19 Cases of Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14703. I. S. No. 8707-t. S. No. E-3212.)

On April 21, 1921, the United States attorney for the Southern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 19 cases of catsup, at Montgomery, W. Va., alleging that the article had been shipped by the J. T. Polk Co., of Chicago, Ill., from Mound City, Ill., January 27, 1921, and transported from the State of Illinois into the State of West Virginia, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Polk's * * * Best" (design of whole red tomatoes) "Catsup J. T. Polk Company * * * Chicago."

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

On April 27, 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.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11504. Adulteration and misbranding of chocolate. U. S. v. 30 Boxes of Chocolate. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15519. I. S. Nos. 15435-t, 15436-t. S. No. E-3621.)

On November 5, 1921, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 30 boxes of chocolate, remaining unsold in the original unbroken packages at Newark, N. J., alleging that the article had been shipped by the J. & A. Baker Chocolate Co., Inc., New York, N. Y., on or about September 29, 1921, and transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs