

effective as a remedy for the several diseases, ailments, and afflictions mentioned in the labeling.

On January 7, 1924, 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. F. MARVIN, *Acting Secretary of Agriculture.*

12048. Misbranding of Smith's buchu lithia pills. U. S. v. 132 Boxes of Smith's Buchu Lithia Pills, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 17953, 17954. S. Nos. E-4531, E-4532.)

On November 7, 1923, 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 praying the seizure and condemnation of 202 boxes of Smith's buchu lithia pills, at Philadelphia, Pa., consigned by C. F. Smith, from Boston, Mass., alleging that the article had been shipped from Boston, Mass., in part on or about September 17 and in part on or about September 18, 1923, and transported from the State of Massachusetts into the State of Pennsylvania, 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 the product was an iron oxide-coated pill containing powdered licorice, extracts of plant drugs, including uva ursi and podophyllum, sodium, potassium, lithium and magnesium compounds, including nitrate and citrate, and soap.

Misbranding of the article was alleged in substance in the libels for the reason that the labeling contained the following statements, designs, and devices regarding the curative or therapeutic effects of the said article, (box and circular) "For Rheumatism And All Diseases Of The Kidneys, Blood And Urinary Organs. Bright's Disease, Congestion of the Kidneys, Bladder Troubles, Dropsical Swellings, Cystitis, Nephritis, Diabetes, Nervous Debility, Malaria, Gout, Neuralgia, Sciatica, etc., Gravel, Stone in the Bladder, Pain in Back, Lumbago, etc., Sleeplessness, Nervousness, Female Complaints and Irregularities And all Blood Impurities Due to Defective Action of the Kidneys * * * Uric Acid Solvent," (circular) "a specific for Rheumatism and all diseases of the Kidneys and Bladder. * * * by removing the cause * * * will cure finally any curable case. * * * pale sallow complexion, headache, dyspepsia * * * and a long train of diseases. * * * They cure rheumatism, because they cure the kidneys * * * 'permanently cured of obstinate kidney trouble and backache * * * completely cured of kidney trouble, backache and urinary trouble * * * sure cure for kidney trouble * * *.' * * * the best remedy for weak kidneys * * *.' * * * recommend them to any one with suppression or stoppage of urine.' * * * For Backache, Inflammation of the Kidneys * * * Bladder * * * Dropsy, Whites or Leucorrhoea * * * Loss of Sleep, Lost Vitality, Painful Menstruation * * * Catarrh of the Bladder Incontinence of Urine or Inability to Hold Water * * * In all old or chronic cases * * * to remove the uric acid * * * strengthen the kidneys and bladder and purify the blood. * * * permanent cures will certainly be the result. * * * If your case is chronic continue their use * * * they will cure any case," which were false and fraudulent in that the said article would not produce the curative or therapeutic effects which purchasers were led to expect by the said statements, designs, and devices, and which were applied to the article with a knowledge of their falsity for the purpose of defrauding purchasers thereof.

On November 27, 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. F. MARVIN, *Acting Secretary of Agriculture.*

12049. Adulteration of butter. U. S. v. 176 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reprocessed. (F. & D. No. 18163. I. S. No. 15910-v. S. No. E-4642.)

On December 14, 1923, the United States attorney for the Southern District of New York, 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 176 tubs of butter, at New York, N. Y., alleging that the article had been shipped by Cromer-Brown, Inc., from Chicago, Ill.,

on or about August 4, 1923, and transported from the State of Illinois into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat and containing excessive moisture had been mixed and packed with and substituted in part for the said article. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, butterfat, had been in part abstracted.

On January 28, 1924, Droste & Snyder, Inc., New York, N. Y., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture 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 \$4,400, in conformity with section 10 of the act, conditioned in part that it be reprocessed under the supervision of this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

12050. Adulteration of butter. U. S. v. 312 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reprocessed. (F. & D. No. 17639. I. S. No. 641-v. S. No. E-4438.)

On July 11, 1923, 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 312 tubs of butter, at Jersey City, N. J., alleging that the article had been shipped by the J. A. Long Co., Union City, Ind., on or about June 13, 1923, and transported from the State of Indiana into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, a product deficient in butterfat and containing excessive moisture, had been mixed and packed with the said article so as to reduce and lower and injuriously affect its quality and strength and had been substituted in whole or in part for butter, which the article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, butterfat, had been in whole or in part abstracted.

On January 31, 1924, the Holland Butterine Co., Jersey City, N. J., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product, with the exception of such tubs thereof as might first have been released as complying with the act, be delivered to the factory to be reprocessed, and that after such reprocessing it be reexamined by this department, and so much thereof as should meet the requirements of the act be released and the remainder thereof destroyed.

C. F. MARVIN, *Acting Secretary of Agriculture.*