

misbranding in violation of the food and drugs act. The article was labeled in part: (Bottle) "Million Smiles Brand Pure Apple Cider Vinegar One Gallon" (or "One Quart," or "One Pint,") "Springdale Vinegar Co., Springdale, Ark."

Adulteration of the article was alleged in the libel for the reason that vinegar made from boiled cider or similar material 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 appearing on the said bottles, "Pure Apple Cider Vinegar," was false and misleading and was calculated to deceive the purchaser in that the article was not pure cider vinegar but was an adulterated article in imitation of pure cider vinegar.

On February 5, 1923, the Springdale Vinegar Co., Springdale, Ark., claimant, having 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 \$500, in conformity with section 10 of the act, conditioned in part that it be relabeled, "Made From Boiled Cider."

HOWARD M. GORE, *Secretary of Agriculture.*

12660. Misbranding of horse and mule feed. U. S. v. 60 Sacks of Horse and Mule Feed. Decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. No. 18777. I. S. No. 12631-v. S. No. E-4860.)

On June 9, 1924, the United States attorney for the District of Maryland, 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 60 sacks of horse and mule feed, consigned on or about April 8, 1924, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Chas. A. Krause Milling Co., from Milwaukee, Wis., and transported from the State of Wisconsin into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Tag) "K-O Horse and Mule Feed Protein 10% Fat 2% Fibre 10% * * * Mfd. by Chas. A. Krause Milling Co. Milwaukee, Wisconsin."

Misbranding of the article was alleged in the libel for the reason that the statement, to wit, "Horse and Mule Feed Protein 10% Fat 2% Fibre 10%," was false and misleading and deceived and misled the purchaser.

On June 14, 1924, the Chas. A. Krause Milling Co., Milwaukee, Wis., having appeared as claimant for the property, 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 \$200, in conformity with section 10 of the act, conditioned in part that it be relabeled.

HOWARD M. GORE, *Secretary of Agriculture.*

12661. Adulteration of butter. U. S. v. 40 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reprocessed. (F. & D. No. 18826. I. S. No. 17960-v. S. No. C-4428.)

On June 25, 1924, 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 a libel praying the seizure and condemnation of 40 tubs of butter, at Chicago, Ill., alleging that the article had been shipped by the Casey Creamery Co., from Casey, Iowa, June 19, 1924, and transported from the State of Iowa into the State of Illinois, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that excessive water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, for the further reason that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the said article, and for the further reason that a valuable constituent of the article, to wit, butterfat, had been in part abstracted therefrom.

On July 9, 1924, J. H. Hoar & Co., Chicago, Ill., claimant, having admitted the allegations of the libel and having 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 \$1,000, in conformity with section 10 of the act, conditioned in part that it be reprocessed under the supervision of this department so that it should contain not less than 80 per cent of milk fat and not more than 16 per cent of water.

HOWARD M. GORE, *Secretary of Agriculture.*

12662. Misbranding of LaDerma Vagiseptic discs, Arthur's Sextone tablets, Bick's nerve tonic, and Bick's Sextone pills. U. S. v. 5 Boxes of LaDerma Vagiseptic Tablets [Discs], et al. Decree entered ordering products destroyed. (F. & D. No. 15126. S. Nos. C-3104, C-3105, C-3106, C-3107.)

On July 11, 1921, the United States attorney for the Northern District of Texas, 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 5 boxes of LaDerma Vagiseptic discs, 11 boxes of Arthur's Sextone tablets, 11 boxes of Bick's nerve tonic, and 11 boxes of Bick's Sextone pills, at Clarendon, Tex., alleging that the articles had been shipped by the Palestine Drug Co., from St. Louis, Mo., on or about September 16, 1920, and transported from the State of Missouri into the State of Texas, and charging misbranding in violation of the food and drugs act as amended. The articles were labeled in part: (LaDerma Vagiseptic discs) "For * * * Amenorrhoea and other Uterine and Vaginal disorders * * * for * * * Amenorrhoea * * * Ulceration of the Uterus * * * Gonorrhoea"; (Arthur's Sextone tablets) "Designed to correct * * * the Evil Results Following Sexual or Alcoholic Excesses, Overwork, Worry, etc. * * * Sextone Tablets For Either Sex * * * Composed of * * * the Most Potent and Dependable Aphrodisiac Agencies," (circular) "Sextone Tablets * * * cases of exhaustion of nervous energy * * * stimulate * * * the Sexual Plexes * * * nourish the nervous system and build it up"; (Bick's nerve tonic) "Nerve Tonic for nervous prostration and bodily aches and pains. A nerve Tonic * * * for all female complaints * * * For Weakness, Nervousness, Headache, Kidney Trouble, and loss of Power in either Sex * * * for female weakness, heart trouble and where a general breakdown of the nervous system exists"; (Bick's sextone pills) "Sextone Pills * * * Composed of * * * Aphrodisiac Agencies."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the LaDerma Vagiseptic discs contained salt, alum, starch, milk sugar, and talc; the Arthur's Sextone tablets contained iron oxide, calcium carbonate, a compound of zinc, and extract of plant drugs, coated with sugar; the B'ck's nerve tonic consisted of two products—brown tablets containing phosphorus and compounds of zinc and iron, coated with sugar and calcium carbonate, and yellow pellets containing compounds of iron, strychnine, and phosphorus, coated with sugar and calcium carbonate; the Bick's Sextone pills consisted of two products—chocolate-colored pills containing a small amount of extract of plant drugs, 50 per cent of sugar, 25 per cent of calcium carbonate, 7 per cent of iron oxide, and 7 per cent of powdered talc, and orange-colored tablets containing 31 per cent of metallic iron, 11 per cent of calcium carbonate, extract of nux vomica, and sugar.

Misbranding of the articles was alleged in the libel for the reason that the above-quoted statements, appearing in the labeling, were false and fraudulent, since the said articles contained no ingredients or combinations of ingredients capable of producing the said therapeutic effects.

On November 2, 1922, no claimant having appeared for the property, judgment of the court was entered, finding the products to be subject to condemnation, and it was ordered by the court that they be destroyed by the United States marshal.

HOWARD M. GORE, *Secretary of Agriculture*

12663. Adulteration and misbranding of canned tomatoes. U. S. v. 150 Cases of Canned Tomatoes. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17868. I. S. No. 580-v. S. No. E-4508.)

On October 22, 1923, the United States attorney for the District of Connecticut, 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 150 cases of canned tomatoes, remaining in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by the Metal Packing Co. from Baltimore, Md., on or about August