

products, were false and misleading, in that the said statements represented that each of the said tablets contained the amount of the product declared on the label thereof, whereas the said tablets contained less than so declared.

Adulteration of the tincture nux vomica and the tincture cinchona was alleged for the reason that they were sold under and by names recognized in the United States Pharmacopœia and differed from the standard of strength as determined by the tests laid down in said pharmacopœia, official at the time of investigation of the articles, in that the tincture of nux vomica yielded not less than 0.277 gram of the alkaloids of nux vomica per 100 mils, whereas said pharmacopœia provides that 100 mils of tincture of nux vomica shall yield not more than 0.263 gram of the alkaloids of nux vomica; and the tincture of cinchona yielded not more than 0.446 gram of the alkaloids of cinchona per 100 mils, whereas said pharmacopœia provides that tincture of cinchona shall yield not less than 0.8 gram of the alkaloids of cinchona per 100 mils; and the standard of strength of the said articles was not declared on the containers thereof.

Misbranding of the tincture nux vomica and the tincture cinchona was alleged for the reason that the statements, to wit, "Tinct. Nux Vomica U. S. P." and "Tincture Of Cinchona," borne on the labels, were false and misleading, in that the said statements represented that the articles were tincture of nux vomica or tincture of cinchona, as the case might be, as defined in the United States Pharmacopœia, whereas they were not.

Adulteration of the fluidextract ipecac and the fluidextract nux vomica was alleged for the reason that their strength fell below the professed standard under which they were sold, in that they were sold under the standard provided for said articles in the 1900 revision of the United States Pharmacopœia, and did not conform thereto, in that said pharmacopœia provides that 100 cubic centimeters of fluidextract ipecac shall contain 1.5 grams of the alkaloids from ipecac, whereas the said fluidextract ipecac contained not more than 0.61 gram of the alkaloids of ipecac per 100 cubic centimeters, and that the fluidextract nux vomica shall contain but 1 gram of strychnine per 100 cubic centimeters, whereas the said fluidextract nux vomica contained more than so provided, the two shipments of fluidextract nux vomica containing 1.282 grams and 1.295 grams, respectively, of strychnine per 100 cubic centimeters.

Misbranding of the said fluidextract ipecac and fluidextract nux vomica was alleged for the reason that the statements, to wit, "Fluid Extract Ipecac (Cephaelis Ipecacuanha) U. S. P. 1900 Assayed And Standardized * * * Guaranteed under the Food and Drugs Act, June 30, 1906 No. 2463" and "Fluid Extract Nux Vomica (Strychnos Nux Vomica) U. S. P. 1900 Assayed And Standardized * * * Guaranteed under the Food and Drugs Act, June 30, 1906, No. 2463," borne on the labels, were false and misleading, in that the said statements represented that the articles were fluidextract ipecac or fluidextract nux vomica, as the case might be, as defined in the 1900 revision of the pharmacopœia, and that the Government had guaranteed said articles to be in compliance with the food and drugs act, whereas the said articles were not fluidextract ipecac or fluidextract nux vomica as so defined, and the Government had not guaranteed them to be in compliance with the said act.

On April 1, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$22.

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

14183. Misbranding of Bowman's abortion remedy. U. S. v. 6 Boxes of Bowman's Abortion Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20466. I. S. No. 1220-x. S. No. C-4826.)

On September 28, 1925, the United States attorney for the Eastern District of Wisconsin, 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 6 boxes of Bowman's abortion remedy, remaining in the original unbroken packages at Two Rivers, Wis., alleging that the article had been shipped by the Erick Bowman Remedy Co., from Owatonna, Minn., on or about September 15, 1925, and transported from the State of Minnesota into the State of Wisconsin, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Box) "Bowman's Abortion Remedy—Directions for use of Bowman's Abortion Remedy."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of wheat shorts and brown sugar with traces of compounds of calcium and sulphur, and a phenolic substance.

Misbranding of the article was alleged in the libel for the reason that the statements "Bowman's Abortion Remedy—Directions for use of Bowman's Abortion Remedy," borne on the label, regarding the curative and therapeutic effect of the said article, were false and fraudulent, since it contained no ingredient or substance capable of producing the effects claimed.

On February 9, 1926, 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.*

14184. Misbranding of tea. U. S. v. 415 Cartons and 107 Cartons of Tea. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20972. I. S. Nos. 10508-x, 10509-x. S. No. W-1932.)

On March 29, 1926, the United States attorney for the Western District of Washington, 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 522 cartons of tea, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by Tea Bags Mfg. Co., from San Francisco, Calif., December 3, 1925, and transported from the State of California into the State of Washington, and charging misbranding in violation of the food and drugs act as amended. A portion of the article was labeled: (Carton) "100 Ind. Tea Bags "Extra Choice" Orange Pekoe And Pekoe Ceylon Black Tea D. Davies & Co. Seattle, Wash." The remainder of the said article was labeled in part: (Carton) "100 Ind. Tea Bags "Extra Choice" Natural Leaf Japan Green D. Davies & Co. Seattle, Wash."

Misbranding of the article was alleged in the libel for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 31, 1926, Dan Davies, trading as D. Davies & Co., Seattle, Wash., 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 \$500, conditioned in part that it be relabeled under the supervision of this department and that the weight be designated on the cartons.

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

14185. Adulteration of butter. U. S. v. 9 Cubes, et al., of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20991. I. S. No. 1091-x. S. No. W-1925.)

On or about March 16, 1926, the United States attorney for the Northern 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 praying the seizure and condemnation of 28 cubes of butter, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Fernwood Dairy, from Portland, Oreg., March 6, 1926, and transported from the State of Oregon into the State of California, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Fernwood Dairy 15 Union Avenue, Portland, Oregon."

Adulteration of the article was alleged in the libel for the reason that a substance deficient in milk fat had been substituted wholly or in part for the said article.

On March 30, 1926, the Fernwood Dairy, Portland, Oreg., having appeared as claimant for the property 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 \$1,400, conditioned in part that it be made to conform with the law under the supervision of this department.

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