

Tex., April 24, 1925, alleging that the article had been shipped in interstate commerce from Dallas, Tex. into the State of Kentucky, and charging misbranding in violation of the food and drugs act as amended.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted of bismuth subgallate, magnesium oxide, charcoal, glycerin, water, and a trace of phenol.

It was alleged in substance in the libel that the article was misbranded, in that the following statements borne on the labels, regarding the curative and therapeutic effects of the said article, were false and fraudulent since it contained no ingredients or combination of ingredients capable of producing the effects claimed: (Bottle label and carton) "Antiseptic For the Stomach and Bowels Intended to Assist Nature in relieving * * * Indigestion or Dyspepsia * * * Ulcerated Conditions, Nausea, Vomiting * * * 3 doses a day will soon Convince you of its merit," (carton) "intended to give relief in stomach and bowel troubles. If you have a sore, ulcerated condition of the stomach and can only eat raw eggs or milk, we insist that you give our medicine a trial," (circular) "Do You Eat What You Like? Is Your Stomach Well And Your Digestion Good? Or do you have Dyspepsia, Constipation, Indigestion, * * * Headache, Halitosis, Inability to Retain Food, Ulcers or Catarrhal Condition of the Stomach and Bowels? Gordon's Antiseptic is a Stomach Medicine praised by those who use it. * * * If you are now on a milk diet * * * give Gordon's Antiseptic a trial and be convinced of its merits. The health of every individual, to a great extent, depends upon the proper working of the digestive organs, for it is the food properly digested and prepared for assimilation that builds tissue and makes one strong. The common symptoms of a disordered stomach are lack of appetite, more or less nausea, coated tongue, bad taste, a feeling of fullness or burning in the pit of the stomach * * * bowels generally constipated, and gas in the stomach and bowels due to fermentation of undigested food. * * * Internal ulcers and inflammations require the use of an antiseptic the same as external. A few days' treatment with Gordon's Antiseptic * * * will convince you of its value in treating internal soreness, ulcers and inflammations of any kind."

On May 13, 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.

W. M. JARDINE, *Secretary of Agriculture.*

14830. Adulteration and misbranding of canned tomato puree. U. S. v. 999 Cases and 999 Cases of Tomato Puree. Default decrees of condemnation, forfeiture, and destruction. (F. & D. No. 20833. I. S. Nos. 2031-x, 2032-x. S. No. C-4944.)

On February 8, 1926, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1,998 cases of tomato puree, at Cincinnati, Ohio, consigned by the Taylorsville Canning Co., Taylorsville, Ind., in part from Taylorsville, Ind., on November 13, 1925, and in part from Columbus, Ind., on November 20, 1925, alleging that the article had been shipped in interstate commerce from the State of Indiana into the State of Ohio, and charging adulteration and misbranding in violation of the food and drugs act as amended. One shipment of the article was in cases bearing the can label with the statement "11 Ozs." crossed out and rubber stamped "6 Lbs." The cans in said portion were labeled in part: "Recess Brand Tomato Puree Contents 11 Ozs. Strictly High Grade Packed By The Esterman, Verkamp Co., Cincinnati, O." The other shipment of the article was in cases labeled in part: "Recess Brand No. 10 Tomato Puree Packed for the Recess Co., Cincinnati, Ohio." The cans in the latter portion were unlabeled.

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

Misbranding was alleged with respect to one shipment of the article 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, and was not in correct form. Misbranding of the article in said shipment was further alleged for the reason that the label stated it was packed by Esterman, Verkamp Co., Cincinnati, Ohio, when it was not.

On June 7, 1926, 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.

W. M. JARDINE, *Secretary of Agriculture.*

14831. Adulteration of catsup. U. S. v. 121 Cases of Catsup. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21237. I. S. No. 3356-x. S. No. C-5200.)

On August 18, 1926, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 121 cases of catsup, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the Ziegler Canning & Preserving Co., from Muscatine, Iowa, April 9, 1926, and transported from the State of Iowa into the State of Minnesota, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Pearl City Catsup * * * Ziegler Canning & Preserving Co. Muscatine, Iowa."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On November 11, 1926, the Ziegler Canning & Preserving Co., Muscatine, Iowa, having appeared as claimant for the property and having consented to the forfeiture and condemnation of the product, and the court having found that the allegations of the libel were true, a decree was entered, ordering 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 the good and bad portions be separated under the supervision of this department and that it not be sold or disposed of in violation of law.

W. M. JARDINE, *Secretary of Agriculture.*

14832. Misbranding of Allfood with radium. U. S. v. 5 Gross Boxes of Allfood With Radium. Product released under bond to be relabeled. (F. & D. No. 21197. I. S. Nos. 11001-x, 10897-x. S. No. W-1997.)

On or about July 28, 1926, the United States attorney for the Southern 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 seizure and condemnation of 5 gross boxes of Allfood with radium, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Allfood Laboratories, from Denver, Colo., on or about May 29, 1926, and transported from the State of Colorado into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted of about 86 per cent milk sugar and 14 per cent water insoluble material comprising mainly talc, mineral matter, and a small amount of animal glandular tissue. Each tablet contained about 0.09 millicigram of radium.

Misbranding of the article was alleged in the libel for the reason that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Box label) "You Look Younger You Feel Younger Aids you to develop stronger Brain, Nerves and Body. Keeps old from feeling old by supplying food to Brain, Nerves and Blood * * * is the feeding of the necessary salts the blood and body needs to make healthy, normal man, woman or child. * * * If you are run down from any cause, you need Allfood," (circular) "Greatest Tonic Pure Blood And Strength Maker Yet Produced Makes You Look Younger Makes You Feel Younger A Few Facts As To Glands and Their Function * * * A Few Facts On Radium Used In Medicine * * * any radio-active food, such as is the Radio-active Allfood, must assuredly be of wonderful benefit to the men and women who have lost strength, who are diseased in body, who have abnormal tissue growths, or who are run down and tired or with old age * * * Whether you are a man or woman you must have the correct elements in the food you take or you get tired, nervous and all run down. You will be slow in picking up your strength after a sickness or overwork, and it just seems you can not get to feeling good again.