

I inoculated them twice, they got well within one week. I then fed all the surviving 11 'Oculum' 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' and not one got sick, though I thought they would get sick and die. They now, Aug. 11, average 250 lbs. and run in the same field where 34 died. 'Oculum' cut the feed bill 15 per cent. * * * I had two old ewes terribly run down in condition; I fed them 'Oculum' and they soon got real fat. 'Oculum' made my hogs very fat. * * * I am satisfied 'Oculum' will relieve Pneumonia in hogs when taken in time. We saved three out of five by use of 'Oculum.' * * * I am pleased to report Annie Rosarie, 194379, for which I refused \$2,000, has been restored by 'Oculum' to her normal self. The treatment is a marvelous one. * * * This was as bad a case of Running Off of the Bowels as I ever saw."

On March 12, 1930, the claimant, M. G. McClung, Salem, Va., having failed to appear, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17158. Adulteration and misbranding of culture A Bacillus bulgaricus. U. S. v. 11 Packages of Culture A Bacillus Bulgaricus Metchnikoff. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24536. I. S. No. 029001. S. No. 2842.)

On February 18, 1930, 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 seizure and condemnation of 11 packages of culture A Bacillus bulgaricus Metchnikoff, remaining in the original unbroken packages at Paterson, N. J., alleging that the article had been shipped by the Ferment Co., New York, N. Y., on or about January 27, 1930, 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 act as amended.

Examination of a sample of the article by this department showed that it contained no viable lactobacilli.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold, namely: (Carton label) "Cultura A. Bac. Bulg. A. (Metchnikoff), Bac. Bulg. B. (B. Acidophilus), Bac. Paralacticus, Liq. Ananassae Sativae, Liq. Citri Decumanae;" (yellow leaflet) "Culture A Bacillus Bulgaricus, Metchnikoff containing the strain of Bacillus Bulgaricus selected, studied and recommended by Professor Elie Metchnikoff, together with a specially selected strain of B. Acidophilus for the modification of the intestinal microbic flora."

Misbranding was alleged for the reason that the above-quoted statements appearing on the carton label, and the accompanying yellow leaflet, were false and misleading. Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Yellow leaflet) "Remedial in the treatment of ailments caused by intestinal auto-intoxication * * * In mild cases of intestinal putrefaction it is advisable to begin with two or three tubes per day, * * * This may be reduced to one per day after the symptoms have disappeared. If severe symptoms are presented or if the condition is one of long standing, as many as six tubes per day should be taken."

On March 31, 1930, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17159. Adulteration and misbranding of antiseptic gargle. U. S. v. 10 Dozen Bottles of Antiseptic Gargle. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23061. I. S. No. 02086. S. No. 1063.)

On September 13, 1928, 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 seizure and condemnation of 10 dozen bottles of antiseptic gargle at Chicago, Ill., alleging that the article had been shipped by Morgenstern & Co., from New