

"It is by the court ordered that the motion of George H. Lee Co. for release of goods for the purpose of relabeling under the provisions of the food and drugs act, be and the same is hereby denied.

"And it further appearing that George H. Lee Co., although it had notice of the seizure and the pendency of this action, has suffered a decree of default and of condemnation and forfeiture to be entered herein, good cause appearing therefor,

"It is by the court ordered that the motion of George H. Lee Co. for an order of release of the seizure filed October 26, 1931, and the affidavit in support thereof, filed the same date, and the amended claim and affidavit in support of the motion for release, filed November 4, 1931, be and the same are hereby ordered stricken from the files, and

"It is further ordered, adjudged, and decreed that George H. Lee Co. and Union Indemnity Co. pay to the United States the storage costs from August 3, 1931, to date of entry hereof, to be taxed by the clerk in the sum of \$50.70, and that libellant have execution therefor.

"Exception allowed petitioner, George H. Lee Co."

ARTHUR M. HYDE, *Secretary of Agriculture.*

18927. Adulteration and misbranding of Sozodont liquid. U. S. v. 38 Packages of Sozodont Liquid. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26811. I. S. No. 22842. S. No. 4986.)

Examination of samples of Sozodont liquid having shown that the carton label bore statements representing that the article possessed curative and therapeutic properties that, in fact, it did not possess, also that it was represented to be an antiseptic, whereas it was not, the Secretary of Agriculture reported to the United States attorney for the Northern District of California the interstate shipment herein described, involving a quantity of the product located in San Francisco, Calif.

On July 27, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 38 packages of Sozodont liquid, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by Hall & Ruckel (Inc.), from New York, N. Y., on or about March 7, 1931, and had been transported from the State of New York into the State of California, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of glycerin, borax, soap, alcohol, and water, flavored with volatile oils including menthol and methyl salicylate, and colored with a red dye. Bacteriological examination showed that the article was not antiseptic.

It was alleged in the libel that the article was adulterated in that it was sold under the following standard of strength, "Antiseptic," when in truth and in fact the strength of the article fell below such professed standard, since it was not antiseptic.

Misbranding was alleged for the reason that the statement on the carton and bottle label, "Antiseptic," was false and misleading. Misbranding was alleged for the further reason that the statements, "Sozodont Liquid is a good medium for use in massaging the gums. The Gums should be thoroughly massaged to reduce the chances of Pyorrhoea. * * * Penetrates The Crevices Where Decay Starts," appearing on the carton label, were statements concerning the curative or therapeutic effects of the article, and were false and fraudulent, in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 30, 1931, 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.*

18928. Adulteration and misbranding of Lavodin. U. S. v. Twenty-four 16-Ounce Packages, et al., of Lavodin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26823. I. S. No. 11161. S. No. 4991.)

Examination of a drug product, known as Lavodin, from the shipment herein described showed that the carton and bottle label and an accompanying circular contained statements representing that the article possessed curative and