

5957. Misbranding of Hall's "Texas Wonder." U. S. * * * v. 6 Dozen Bottles * * * of Hall's So-Called "Texas Wonder." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8282. I. S. No. 10528-m. S. No. C-699.)

On July 3, 1917, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen bottles of Hall's "Texas Wonder," remaining unsold in the original unbroken packages at Wichita, Kans., alleging that the article had been shipped on or about April 25, 1917, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Kansas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in the libel for the reason that the statement regarding the therapeutic or curative effect thereof, appearing on the label of the bottles and cartons, to wit, "The Texas Wonder, Hall's great discovery, for kidney and bladder troubles, diabetes, weak and lame backs, rheumatism, dissolves gravel regulates bladder trouble in children," was false and fraudulent in that it was applied to said article knowingly, and in reckless and wanton disregard of its truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of the purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents capable of producing the therapeutic effects claimed for it, when, in truth and in fact, it was not.

On September 24, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*