

District Court of the United States for said district a libel for the seizure and condemnation of 7½ dozen bottles of Pepsolaxatone, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Burlingame Chemical Co., Los Angeles, Calif., on or about September 29, and December 4, 1919, and transported from the State of California into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Pepsolaxatone * * * An efficient combination of agents for the permanent relief of habitual Constipation, Gastric Disorders, and Indigestion."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a slightly acid solution containing pepsin, laxative plant extractives, sugar, glycerin, alcohol, water, and volatile flavoring oils. Only traces, if any, of diastase and pancreatin were present.

Misbranding of the article was alleged in substance in the libel for the reason that the preceding statements, regarding the curative and therapeutic effects of the article, were false and fraudulent.

On June 2, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

8567. Misbranding of Texas Wonder. U. S. * * * v. 34 Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12239. I. S. No. 9029-r. S. No. C-1824.)

On March 5, 1920, the United States attorney for the Southern 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 for the seizure and condemnation of 34 bottles of an article of drugs, labeled in part, "Texas Wonder," at Decatur, Ill., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., on or about January 29, 1920, and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of cascara, rhubarb, colchicum, turpentine, gualiac, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the statements, to wit, "A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel * * * Regulates Bladder Trouble in Children * * *," regarding the curative and therapeutic effect, were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 2, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

8568. Misbranding of Texas Wonder. U. S. * * * v. 3 Dozen Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12255. I. S. No. 9516-r. S. No. C-1770.)

On March 1, 1920, the United States attorney for the Southern District of Alabama, 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 3 dozen bottles of Texas Wonder, consigned on or about

February 2, 1920, remaining unsold in the original unbroken packages at Mobile, Ala., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Alabama, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Cartons) "A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children;" (small circular) "In cases of gravel and rheumatic troubles it should be taken every night in 25 drop doses until relieved."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, turpentine, guaiac, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the aforesaid statements on the labels, regarding the curative and therapeutic effects thereof, were false and fraudulent as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 27, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

8569. Adulteration and misbranding of cottonseed feed. U. S. * * * v. 300 Sacks of Economy Cotton Seed Feed. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12257. I. S. No. 16667. S. No. E-1992.)

On or about March 6, 1920, the United States attorney for the Eastern District of Virginia, 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 300 sacks of Economy Cotton Seed Feed, remaining in the original unbroken packages at Petersburg, Va., alleging that the article had been shipped by Lyle & Lyle, Camilla, Ga., on or about January 12, 1920, and transported from the State of Georgia into the State of Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that a substance, to wit, crude cottonseed fiber, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly and in part for the article.

Misbranding was alleged in substance for the reason that the labels on the sacks containing the article bore certain statements, regarding the article and the ingredients and substances contained therein, to wit, "Economy Cotton Seed Feed * * * Protein, not less than 36% * * * Fibre, not more than 14%," which statements were false and misleading and deceived and misled the purchaser in that the article was deficient in protein and contained excessive cotton [crude] fiber, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, "Economy Cotton Seed Feed."

On April 30, 1920, Lyle & Lyle, Camilla, Ga., claimants, having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered by the court that the product be released to said claimants upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture*