

**8570. Misbranding of D. D. D. Remedy. U. S. \* \* \* v. 5½ Dozen Bottles of D. D. D. Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12262. I. S. No. 13476-r. S. No. E-2011.)**

On March 3, 1920, the United States attorney for the Western District of Pennsylvania, 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 5½ bottles of D. D. D. remedy, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by the Williams Mfg. Co., Cleveland, Ohio, on or about February 4, 1920, and transported from the State of Ohio into the State of Pennsylvania, 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 was a hydroalcoholic solution containing phenol, sassafras, methyl salicylate, salicylic acid, and chloral.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the cartons, bottles, and accompanying circulars, regarding the curative and therapeutic effects thereof, to wit, (carton) "D. D. D. Remedy for Eczema and Diseases of the Skin and Scalp, Eczema, Psoriasis, Pimples, Tetter, Salt Rheum, Dandruff, Ivy Poison, Hives, Itching Piles \* \* \* Itch, Barber's Itch, Dermatitis, Herpes, Sycosis," (bottle) "D. D. D. Prescription for the Skin and Scalp," (circular) "\* \* \* Acne \* \* \* Nettlerash \* \* \* Plant Poison," also testimonials representing the preparation as a treatment or cure for "any of the many skin diseases," the "worst cases of skin diseases," "something like a cancerous growth," barber's itch, ichthyolol [ichthyosis], psoriasis, and scrofula, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On July 22, 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.*

**8571. Misbranding of Avicol. U. S. \* \* \* v. 70 Packages, 25-Cent Size, and 10 Packages, 50-Cent Size, of Avicol. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12274. I. S. No. 9638-r. S. No. C-1794.)**

On or about March 6, 1920, 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 for the seizure and condemnation of 70 packages, 25-cent size, and 10 packages, 50-cent size, of Avicol, consigned by the Burrell-Dugger Co., Indianapolis, Ind., September 29, 1919, remaining unsold in the packages at Cincinnati, Ohio, alleging that the article had been shipped from Indianapolis, Ind., and transported from the State of Indiana into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Stops chicks dying \* \* \* For White Diarrhoea, Cholera, Roup, etc.;" (package label) "For the Cure & Prevention of all Infectious Diseases of Chickens, Pigeons & Turkeys \* \* \* Colds, Canker, Limberneck, Going Light, Black-Head \* \* \* For Prevention of all diseases of poultry \* \* \*;" (circular) "\* \* \* to make poultry healthy and keep them healthy \* \* \* Blackhead in Turkeys \* \* \* a powerful bowel regulator, internal antiseptic \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of potassium bichromate, casein, sugar, starch, and talc in tablet form.

Misbranding of the article was alleged in substance in the libel for the reason that the carton, label, and circular bore and contained statements, as aforesaid, regarding the curative or therapeutic effect of the article, which were false and fraudulent in that the article contained no ingredients or combination of ingredients capable of producing the effects claimed, and in that said article was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the aforesaid statements.

On May 18, 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.*

**S572. Adulteration and misbranding of cottonseed meal. U. S. \* \* \* v. United Oil Mills, a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 12345. I. S. No. 11965-r.)**

At the April, 1920, term of the United States District Court, within and for the Eastern District of Arkansas, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the District Court aforesaid an information against the United Oil Mills, a corporation, Arkadelphia, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 12, 1919, from the State of Arkansas into the State of Kansas, of a quantity of cottonseed meal which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 5.55 per cent of nitrogen, equivalent to 34.72 per cent of crude protein. Microscopic examination showed that it contained excessive cottonseed hulls.

Adulteration of the article was alleged in the information for the reason that cottonseed hulls had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for cottonseed meal, which the article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Cotton Seed Meal Guaranteed Analysis \* \* \* Protein 36.00%, \* \* \* Equivalent Nitrogen 5.75% Made from pressed cotton seed," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the article consisted wholly of cottonseed meal, that it contained not less than 36 per cent of protein and not less than 5.75 per cent of equivalent nitrogen, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of cottonseed meal, that it contained not less than 36 per cent of protein and not less than 5.75 per cent of equivalent nitrogen, whereas, in truth and in fact, the article did not consist wholly of cottonseed meal, but consisted in part of cottonseed hulls, and it contained less than 36 per cent of protein and less than 5.75 per cent of equivalent nitrogen.

On September 10, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

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

**S573. Adulteration of canned salmon. U. S. \* \* \* v. 80 Cases of Canned Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12380. I. S. No. 11664-r. S. No. C-1915.)**

On April 24, 1920, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District