

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effects of the article, appearing in the labeling, were false and fraudulent as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 9, 1920, no claimant having appeared for the property, a default decree of condemnation, forfeiture, and destruction 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.*

SS39. Misbranding of Arthur's Sextone Tablets. U. S. * * * v. 4 Boxes of Arthur's Sextone Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13685. I. S. No. 439-t. S. No. C-2497.)

On or about September 27, 1920, the United States attorney for the Western District of Oklahoma, 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 4 boxes of Arthur's Sextone Tablets, remaining unsold in the original unbroken packages at Erick, Okla., alleging that the article had been shipped on or about January 15, 1920, by the Palestine Drug Co., St. Louis, Mo., and transported from the State of Missouri into the State of Oklahoma, and charging adulteration under the Food and Drugs Act, as amended. The article was labeled in part: "Arthur's Sextone Tablets;" (wrapper) "* * * Designed to Correct * * * the Evil Results Following Sexual or Alcoholic Excesses, Overwork, Worry, Etc * * * Sextone Tablets for either sex Composed of * * * the Most Potent and Dependable Aphrodisiac Agencies * * *;" (circular) "* * * Sextone Tablets * * * cases of exhaustion of nervous energy * * * stimulate the Sexual Plexes * * * nourish the nervous system and build it up * * *."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the pills were composed essentially of iron and zinc salts, caffeine, unidentified plant extractives, and traces of phosphates.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements borne on the label, with respect to the curative and therapeutic effects of the article, were false and fraudulent as the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On November 15, 1920, no claimant having appeared for the property, a default decree of condemnation, forfeiture, and destruction 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.*

SS40. Misbranding of Leonard Ear Oil. U. S. * * * v. 13 Dozen Cartons of Leonard Ear Oil. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 11364. I. S. No. 3005-r. S. No. W-510.)

On September 26, 1919, the United States attorney for the Southern District of California, 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 13 dozen cartons of Leonard Ear Oil, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by A. O. Leonard, New York, N. Y., September 11, 1919, and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.