

exhausted by high living, overwork, worry, brain fatigue, indigestion, or the excessive use of tobacco, opium, or liquor. It creates solid flesh, muscle, and strength, clears the brain, makes the blood pure and rich, and causes a general feeling of renewed life, while the generative organs are helped to regain their normal powers, and the sufferer is quickly made conscious of direct benefit. For nervous prostration, overwork, weakening drains, or lost vitality in either sex, Bar-Ben certainly cannot be excelled. Within three days after taking the first dose you notice the return of the old vim, snap and energy that you had counted as lost forever * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of plant extractives, including nux vomica and damiana, zinc, and combined phosphorus, probably as zinc phosphid.

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

On December 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.*

8924. Adulteration and misbranding of butter. U. S. * * * v. 115 Tubs of Butter. Consent decree of condemnation. Product ordered released on bond. (F. & D. No. 13718. I. S. No. 5276-t. S. No. E-2772.)

On September 23, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 115 tubs of butter, consigned August 12, 1920, by the Dixie Butter Co., Louisville, Ky., remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped and transported from the State of Kentucky into the Commonwealth of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that it was deficient in butter fat and contained excessive moisture.

Misbranding was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, butter.

On December 13, 1920, the said Dixie Butter Co., Louisville, Ky., by its agent, the Lewis-Mears Co., having filed a satisfactory bond, in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings.

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

8925. Adulteration and misbranding of tomatoes. U. S. * * * v. 250 Cases * * * of a Product Purporting to be Canned Tomatoes. Default decree of condemnation and forfeiture providing for sale of goods after relabeling. (F. & D. No. 13725. I. S. No. 7485-t. S. No. E-2770.)

On September 28, 1920, the United States attorney for the Southern District of New York, 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