

**S940. Misbranding of Bliss Native Herbs. U. S. \* \* \* v. 1,255 Dozen Packages of Bliss Native Herbs. Consent decree of misbranding. Product released on bond.** (F. & D. Nos. 11321, 11322, 11323, 11324. I. S. Nos. 2660-r, 2661-r, 2662-r. S. No. W-195.)

On September 26, 1919, the United States attorney for the Northern 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, and on or about October 4, 1919, an amended libel, for the seizure and condemnation of 1,255 dozen packages of Bliss Native Herbs, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Alonzo O. Bliss Medical Co., January 13, January 20, January 29, February 5, February 17, February 21, March 3, March 7, March 21, March 26, March 28, April 2, April 4, April 9, April 11, April 16, April 18, April 25, and April 30, 1919, respectively, and transported from the District of Columbia into the State of California, 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 aloes, licorice, buchu, uva ursi, a pungent drug such as capsicum, and a resin-bearing drug.

It was alleged in substance in the libel, as amended, that the article was misbranded for the reason that certain statements appearing on the cartons and in the circulars accompanying it falsely and fraudulently represented it to be effective for indigestion, dyspepsia, auto-intoxication, sick and nervous headache, kidney and liver derangements, loss of appetite, blood impurities, to restrain the growth of harmful bacteria in the intestines and eliminate them, thereby preventing intestinal putrefaction and auto-intoxication, to successfully adjust bowel troubles, for intestinal indigestion, sciatica, lumbago, acute and chronic rheumatic pains, enlargement of joints, to correct the blood and dissolve acids that accumulate in the system, for kidney and bladder trouble and chronic liver ailments, to regulate the stomach and bowels and to purify the blood, for grippe, to stimulate the blood and aid in benefiting many of the bodily organs and to heal the afflicted or diseased parts reached through the blood, to remove the cause of and to cure piles, for malaria, chills and fever and asthma, to free one from liver or stomach trouble and, as guaranteed, to be effective in catarrh, whereas the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On October 22, 1919, the Alonzo O. Bliss Medical Co., Washington, D. C., having consented to a decree, judgment of misbranding was entered, and it was ordered by the court that the product be released to said claimant 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.*

**S941. Adulteration and misbranding of butter. U. S. \* \* \* v. 17 Tubs of Butter. Consent decree of condemnation and forfeiture. Product ordered released on bond for re-working.** (F. & D. No. 11892. I. S. No. 14122-r. S. No. E-1938.)

On January 26, 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 condemnation of 17 tubs of butter, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on

or about November 24, 1919, by the North American Creamery Co., Boston, Mass., and transported from the State of Massachusetts into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a product deficient in milk fat and containing excessive moisture had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for said product. Adulteration was alleged for the further reason that a valuable constituent, to wit, milk fat, had been in part abstracted from said butter.

Misbranding was alleged for the reason that the article was an imitation of, and was sold under the distinctive name of, another article.

On January 11, 1921, the said North American Creamery Co., having admitted the truth of the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be released to said claimant for re-working, upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

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

**S942. Misbranding of Stopsit. U. S. \* \* \* v. 24 Bottles and 36 Bottles of Stopsit. Default decrees of condemnation, forfeiture, and destruction.** (E. & D. Nos. 12970, 13072. I. S. Nos. 9138-r, 9139-r. S. Nos. C-1998, C-2057.)

On or about June 26 and on July 28, 1920, respectively, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 24 bottles and 36 bottles of Stopsit, at Chicago, Ill., alleging that the article had been shipped by O. K. Horner, Brazil, Ind., April 17 and January 28, 1920, respectively, and transported from the State of Indiana 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 of two preparations, a dilute aqueous solution of berberine sulphate, and a powder composed of potassium permanganate and potassium sulphate.

It was alleged in substance in the libels that the article was misbranded in that certain statements regarding the curative or therapeutic effect thereof, (carton) "O. K. Horner's Stopsit \* \* \* Never known to stricture \* \* \* safe sure and speedy \* \* \* remedy, for Gonorrhœa and gleet \* \* \* remedy is for venereal diseases of men and women \* \* \*," (shipping container) "\* \* \* injection for gonorrhœa or gleet \* \* \*," (bottle) "\* \* \* injection for Gonorrhœa and Gleet for Leucorrhœa or whites \* \* \*," (circular) "\* \* \* Trouble with the prostate gland \* \* \* Rheumatic Trouble \* \* \* Trouble of any kind \* \* \*," falsely and fraudulently represented it to be effective as a remedy for the several diseases, ailments, and afflictions mentioned upon the container, carton, and bottles and in the circulars aforesaid, when, in truth and in fact, it was not.

On November 23, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were 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.*