

Adulteration of the article was alleged in the libel for the reason that a product having no food value, to wit, saccharin, had been mixed and packed with said article so as to reduce and lower and injuriously affect its quality, and had been substituted wholly or in part for said article. Adulteration was alleged for the further reason that the article contained an added deleterious ingredient, to wit, saccharin, which might render it injurious to health.

On January 24, 1921, 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.*

9087. Misbranding of Dr. J. H. McLean's Sarsaparilla Compound. U. S. * * * v. 68 Bottles of * * * Dr. J. H. McLean's Sarsaparilla Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14004. I. S. No. 10429-t. S. No. W-803.)

On or about December 9, 1920, the United States attorney for the District of New Mexico, 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 68 bottles of Dr. J. H. McLean's Sarsaparilla Compound, remaining unsold in the original unbroken packages at Albuquerque, N. Mex., alleging that the article had been shipped on August 16, 1920, by the Dr. J. H. McLean Medicine Co., St. Louis, Mo., and transported from the State of Missouri into the State of New Mexico, 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 iodids, a laxative plant drug, saponin (sarsaparilla), plant extractives including resins, salts of iron, potassium, and sodium, sugar, alcohol, and water.

It was alleged in substance in the libel that the article was misbranded for the reason that the labels thereof bore statements, designs, and devices, regarding the therapeutic and curative effects of said article, as follows, to wit, (bottle) "Dr. J. H. McLean's Sarsaparilla Compound * * * It frequently happens that persons find an aggravation of their complaint after taking a few doses of Dr. J. H. McLean's Sarsaparilla, but this must be regarded as an indication that the curative process has commenced. * * *," (carton) "Dr. J. H. McLean's Sarsaparilla Compound * * * For The Treatment Of Ailments Resulting From Impurity Of The Blood Such As Scrofula and all Scrofulous Humors, Gout or Swollen Neck, Erysipelas, Old Sores, Eruptions on the Face or any part of the Body, Boils, Pimples, Blotches, Indolent Ulcers, Pains in the Bones, Rheumatism, Salt Rheum, Canker in the Mouth or Throat, Chronic Inflammation of the Mucous Membrane which lines the Nose, Throat, Windpipe, Ears and other parts and General Debility. * * * for Specific Blood Poisoning, general purifying the blood, * * * and for symptoms which denote blood diseases, such as pimples, skin eruptions, etc. * * *," (circular) "Dr. J. H. McLean's Sarsaparilla Compound. For The Treatment Of Impurities of the Blood, Diseases caused by Impure or Impoverished Blood, Spring Fever, Scrofulous Diseases, Sores, Ulcers, etc., and For Constitutional Blood Poison. * * * a blood cleanser, enricher * * * It assists in giving life and vitality to impoverished blood and in cleansing the blood of impurities which if allowed to remain in the system will cause serious diseases. By removing the impure matter from the blood, one great step toward health is taken. The next step necessary, is to enrich the blood so that the whole system is properly nourished. Dr. J. H. McLean's Sarsaparilla Compound aids in accomplishing both. Pimples, Boils, Carbuncles, Skin Blotches and Spots are in-

dications that the blood is impure. * * * Take Dr. J. H. McLean's Sarsaparilla Compound when those indications appear. It aids in cleansing your blood, so that you may enjoy health. * * * The children of parents who had Syphilis, or whose parents were liquor drinkers are very liable to Scrofula. Women who have Leucorrhœa, or other female complaints are liable to have Scrofulous children. * * * for the treatment of Scrofula or Scrofulous diseases, * * * Boils * * * should be treated by taking Dr. J. H. McLean's Sarsaparilla Compound * * * for the treatment of Carbuncle. * * * Persons tainted with Syphilis or Scrofula are very subject to Ulcers. In the treatment of Ulcers. * * * Dr. J. H. McLean's Sarsaparilla Compound should be taken internally * * * for the treatment of Goitre. * * * Anemia. * * * weariness and lassitude. * * * In the treatment of Erysipelas * * * take Dr. J. H. McLean's Sarsaparilla Compound. * * * " which said statements were false and fraudulent in that the article contained no ingredients or combination of ingredients capable of producing the results and effects claimed therefor in the said labels upon the bottles and cartons and in the circulars.

On January 18, 1921, 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.*

3088. Adulteration of walnuts. U. S. * * * v. 19 Bags of Walnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14011. I. S. No. 10441-t. S. No. W-814.)

On or about December 15, 1920, the United States attorney for the District of Colorado, 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 19 bags of walnuts, remaining unsold in the original unbroken packages at Pueblo, Colo., consigned by the J. B. Inderrieden Co., Rivera, Calif., alleging that the article had been shipped on or about November 22, 1919, and transported from the State of California into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, to wit, decomposed, rotten, and wormy walnuts.

On February 14, 1921, 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.*

3089. Adulteration and misbranding of vinegar. U. S. * * * v. 499 Cases * * * of Steuben Brand Reduced Cider Vinegar. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 14113. I. S. No. 7840-t. S. No. E-3012.)

On December 23, 1920, the United States attorney for the Eastern 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 499 cases of Steuben Brand reduced cider vinegar, consigned by the Naas Cider Vinegar Co., Cohocton, N. Y., remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about August 23, 1920, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act.