

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements regarding the curative or therapeutic effect of the said article were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the effects claimed and in that it was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the said statements.

On February 19, 1921, 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.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9703. Misbranding of Robert J. Pierce's tansy, cotton root, pennyroyal, and apiol tablets. U. S. * * * v. 50 Packages and 1 Gross Boxes of * * * Robert J. Pierce's * * * Tansy, Cotton Root, Pennyroyal, and Apiol Tablets. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13346, 13472. I. S. Nos. 10109-t, 10113-t. S. Nos. W-682, W-699.)

On August 17 and 21, 1920, respectively, the United States attorney for the Western District of Washington, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 50 packages and 1 gross boxes of Robert J. Pierce's Empress Brand tansy, cotton root, pennyroyal, and apiol tablets, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped on or about June 2, 1919, and March 17, 1920, respectively, in part by Robert J. Pierce, Inc., New York, N. Y., and transported from the State of New York into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box label) " * * * Tansy, Cotton Root, Pennyroyal and Apiol Tablets. A Safe Emmenagogue, Always Reliable And Effective. The Best Known Remedy For The Suppression Of The Menstrual Function "; (circular) " * * * Tansy, Cotton Root, Pennyroyal and Apiol Tablets * * * The Celebrated Female Regulator * * * Delayed Menstruations. When the suppression is of long standing, * * * take one * * * until four days before the time when the menses should appear, * * * immediately preceding the expected appearance of the menstrual flow, active treatment should begin. Take one tablet three times daily, * * * follow * * * instructions * * * until the desired result is obtained. * * * Irregularities. Where the menses are not regular, * * * are invaluable. Take * * * before the expected appearance of the menstrual period."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained aloes, ferrous sulphate, pennyroyal, and unidentified vegetable substance.

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

On September 29, 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.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*