

9782. Adulteration and misbranding of vanilla extract. U. S. * * * v. 30 Gallons * * * of * * * Vanilla Extract. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13253. I. S. No. 1731-t. S. No. C-2156.)

On August 14, 1920, the United States attorney for the Southern District of Ohio, 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 30 gallons, more or less, of vanilla extract, remaining unsold at Middletown, Ohio, consigned by the W. B. Wood Mfg. Co., St. Louis, Mo., July 6, 1920, alleging that the article had been shipped from St. Louis, Mo., and transported from the State of Missouri into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Half-barrel) “* * * A Perfect Ice Cream Flavor Manufactured by W. B. Wood Mfg. Co., St. Louis, Mo.”

Adulteration of the article was alleged in the libel for the reason that an imitation vanilla extract, artificially colored, had been mixed and packed with, and substituted wholly or in part for, the said article.

Misbranding was alleged for the reason that the statement appearing on the label, “A Perfect Ice Cream Flavor,” was false and misleading and deceived and misled purchasers, and for the further reason that the said article was an imitation of, and was sold and offered for sale under the distinctive name of, another article.

On February 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.

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

9783. Misbranding of Dr. A. W. Chase's nerve pills. U. S. * * * v. 3 Dozen Packages * * * of * * * Dr. A. W. Chase's Nerve Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13260. I. S. No. 11686-t. S. No. C-2130.)

On August 13, 1920, the United States attorney for the Western District of Kentucky, 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 3 dozen packages, more or less, of Dr. A. W. Chase's nerve pills, remaining unsold in the original unbroken packages at Louisville, Ky., consigned by the Dr. A. W. Chase Medicine Co., Buffalo, N. Y., March 27, 1920, to Cincinnati, Ohio, alleging that the article had been shipped from Cincinnati, Ohio, and transported from the State of Ohio into the State of Kentucky, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Label) “Builds Up The System Cures Thin & Watery Blood Nervous Prostration Nervous Headache Female Trouble Pale & Sallow Complexion Heart Failure Dizziness & Fainting Sleeplessness And General Weakness * * *”; (circular) “Hysteria, Hystero-epilepsy, Epilepsy, St. Vitus dance, Paralysis, Locomotor-Ataxia, Insanity * * * await * * * the chance to enter. The Cure Is alone found in Dr. A. W. Chase's Nerve Pills. A medicine rich in all the elements that go to make rich red blood and to supply the hungry nerves with proper nourishment, a medicine that supplies what is lacking, the very essence of existence, the active principle of life—Nerve Force. * * * Sexual Wrecks. * * * in Dr. A. W. Chase's Nerve Pills, the victim of excess finds a medicine that reaches the seat of trouble and cures * * * re-invigorates, by re-supplying the very essential of health, Nerve Force. Once this health-giving force reaches the relaxed and debilitated organ in proper quantity, the organ begins to rebuild itself, and takes its place as capable as ever of carrying out its work, * * * Oc-

casional Irregularity, Or * * * slight and fearfully painful menstruation. * * * the absence of a healthy flow, * * * a complete relaxation and loss of power upon the part of the uterine organs * * * It is in such cases as these, * * * that * * * Nerve Pills show their sterling qualities, * * * by re-supplying the element lacking, Nerve Force. * * * Sterility. * * * The * * * use of * * * Nerve Pills always results in an awakening and return of power to those organs * * * Girlhood to Womanhood. * * * Nerve Pills * * * by their ability to supply a world of nerve force and physical energy, and to manufacture the richest quality of blood, makes the passage * * * easy and safe * * * Feeble Little Ones. * * * due to * * * Diphtheria, Measles, Scarlet Fever, etc. * * * Nothing could reach * * * in a more rapid or happy manner than do * * * Nerve Pills, a preparation designed expressly to furnish to these weak and puny little ones all that is essential to their re-building and re-invigorating. * * * a true tonic, * * * results once obtained are doubly certain and lasting. * * * This is the only medicine that cures by rebuilding, re-invigorating, and re-supplying what is lacking—good blood and nerve force * * *”

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills contained aloes, ferrous sulphate, manganese, arsenic, and strychnine.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing on the labels of the packages containing the article and in the circulars inclosed therein, 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.

On March 4, 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.

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

9784. Misbranding of Pierce's pennyroyal tablets and Empress Brand tansy, cotton root, pennyroyal, and apiol tablets. U. S. * * * v. 25 Packages of Pierce's Pennyroyal Tablets and 72 Packages of Empress Brand Tansy, Cotton Root, Pennyroyal, and Apiol Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13276. I. S. Nos. 5807-t, 5809-t. S. Nos. E-2664, E-2661.)

On August 31, 1920, the United States attorney for the Western 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 25 packages of Pierce's pennyroyal tablets and 72 packages of Empress Brand tansy, cotton root, pennyroyal, and apiol tablets, at Pittsburgh, Pa., consigned by Robert J. Pierce, Inc., New York, N. Y., alleging that the articles had been shipped from New York, N. Y., June 2, 1920, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the pennyroyal tablets contained ferrous sulphate and plant extractives, including tansy and aloes, and that the tansy, cotton root, pennyroyal, and apiol tablets contained ferrous sulphate and plant extractives, including pennyroyal and aloes.

Misbranding of the articles was alleged in substance in the libel for the reason that the following statements regarding the therapeutic or curative