

10026. Misbranding of DuBois Pefic pills. U. S. * * * v. 11 Dozen Boxes * * * of DuBois Pefic Pills. Default decree ordering destruction of the product. (F. & D. No. 14651. Inv. No. 26992. S. No. C-2882.)

On March 18, 1921, the United States attorney for the District of Minnesota, 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 11 dozen boxes of DuBois Pefic pills, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by William J. Baumgartner, Detroit, Mich., on or about February 5, 1921, and transported from the State of Michigan into the State of Minnesota, 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 the pills contained aloes and iron sulphate and were coated with a mixture of sugar and calcium carbonate.

Misbranding of the article was alleged in substance in the libel for the reason that the statement appearing in the circular accompanying the article, to wit, "* * * DuBois Pills which are purely vegetable * * *," was false and misleading, since the said article was not purely vegetable, and for the further reason that the following statements regarding the curative and therapeutic effects, appearing in the said circular, to wit, "* * * Reliable Female Tonic and Regulator. * * * for relieving general female disorders. Needless pain and suffering may be prevented by the use of DuBois Pills * * * A female tonic exerting helpful medicinal action over the female organs. * * * in the relieving of pain, due to leucorrhœa, etc., and regulating the menses. * * * a tonic for the female organs * * * suppressed menstruation, painful menstruation, inflammation of the vagina caused by anemia, etc. * * * For leucorrhœa. * * * In cases of menstrual disturbances * * *," were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On October 28, 1921, no claimant having appeared for the property, judgment of the court was entered ordering that the product be destroyed by the United States marshal.

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

10027. Adulteration of canned water loganberries. U. S. * * * v. 24 Cases * * * of Canned Water Loganberries. Default decree ordering the destruction of the product. (F. & D. No. 14698. I. S. No. 2109-t. S. No. C-2956.)

On April 8, 1921, the United States attorney for the District of Minnesota, 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 24 cases of canned water loganberries, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the Puyallup & Sumner Fruit Growers' Canning Co., Puyallup, Wash., on or about November 17, 1920, and transported from the State of Washington into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, (can) "Famous Puyallup Brand Water Loganberries * * * Grown and Packed by the Puyallup and Sumner Fruit Growers' Association, Canneries at Sumner and Puyallup, Washington, * * *"

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy and decomposed vegetable substance.

On October 28, 1921, no claimant having appeared for the property, judgment of the court was entered ordering that the product be destroyed by the United States marshal.

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

10028. Adulteration and misbranding of barley feed. U. S. * * * v. Sheffield Elevator Co., a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 14734. I. S. No. 8974-r.)

On October 10, 1921, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Sheffield Elevator Co., a corporation, Minneapolis, Minn., alleging shipment by said company, on or about October 6, 1919, in violation of the Food and Drugs Act, as amended, from the State of Minnesota into the State of Missouri, of a quantity of barley feed which was adulterated and misbranded.