

**10053. Misbranding of Dr. A. W. Chase's nerve pills. U. S. \* \* \* v. 2 Dozen Boxes \* \* \* of Dr. A. W. Chase's Nerve Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13433. I. S. No. 10314-t. S. No. W-709.)**

On August 20, 1920, the United States attorney for the District of Oregon, 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 2 dozen boxes of Dr. A. W. Chase's nerve pills, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Dr. A. W. Chase Medicine Co., Buffalo, N. Y., December 3, 1919, and transported from the State of New York into the State of Oregon, 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 \* \* \* Nervous Prostration \* \* \* Nervous Headache Female Trouble \* \* \* 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-energizes, 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, \* \* \* Occasional 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 elements 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-energizing. \* \* \* A sure [true] tonic \* \* \* results once obtained are doubly certain and lasting. \* \* \* This is the only medicine that cures by rebuilding, re-energizing 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 strychnine, arsenic, aloes, iron carbonate, and a manganese compound.

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

On November 23, 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.*

**10054. Adulteration of walnut meats. U. S. \* \* \* v. 4 Cases, 3 Cases, and 2 Cases of \* \* \* Walnut Meats. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 14779, 14780, 14781. I. S. Nos. 10656-t, 10657-t, 10658-t. S. No. W-910.)**

On April 15, 1921, the United States attorney for the District of Oregon, 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 9 cases of walnut meats, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by Thomas W. Simmons

& Co., San Francisco, Calif., February 18, 1921, and transported from the State of California into the State of Oregon, 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 whole or in part of a decomposed vegetable substance.

On November 23, 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.*

**10055. Adulteration and misbranding of coal-tar color. U. S. \* \* \* v. 2 One-Pound Cans \* \* \* of Coal-Tar Color. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 14855. I. S. Nos. 2901-t, 2902-t. S. No. C-3054.)

On May 11, 1921, the United States attorney for the Southern District of Texas, 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 2 one-pound cans, more or less, of coal-tar color, at McAllen, Tex., alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., on or about February 24, 1921, and transported from the State of Missouri into the State of Texas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "W. B. Wood Mfg. Co., St. Louis, Mo., Complies with all requirements, \* \* \*"

Adulteration of the article was alleged in the libel for the reason that sodium chlorid and sodium sulphate had been mixed and packed with, and substituted wholly or in part for, the article. Adulteration was alleged for the further reason that the said article contained an added poisonous or deleterious ingredient, arsenic, which might render it injurious to health.

Misbranding was alleged for the reason that the statement on the label of the can containing the said article, "Complies with all requirements, Warranted quality, color," was false and misleading and deceived and misled the purchaser.

On December 9, 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.*

**10056. Misbranding of olive oil. U. S. \* \* \* v. Poletti, Coda & Rebecchi, a Corporation. Plea of guilty. Fine, \$100.** (F. & D. No. 14919. I. S. No. 13056-r.)

On August 1, 1921, 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 an information against Poletti, Coda & Rebecchi, a corporation, New York, N. Y., alleging shipment by said company, on or about December 15, 1919, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Vermont, of a quantity of olive oil which was misbranded. The article was labeled in part, "Marca Poletico Olio Puro d'Oliva Sublime La Miguore Marca \* \* \* Half Gallon \* \* \*"

Examination of a sample of the product by the Bureau of Chemistry of this department showed that the average measure on 24 cans was 0.48 gallon.

Misbranding of the article was alleged in the information for the reason that the statement "Half Gallon" borne on the cans containing the said article, regarding the article, was false and misleading in that it represented that each of the said cans contained one-half gallon of the said article, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said cans contained one-half gallon of the said article, whereas, in truth and in fact, each of the said cans did not contain one-half gallon of the article but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 8, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

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