

10768. Adulteration and misbranding of vinegar. U. S. v. 41 Barrels of Vinegar. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16457. I. S. No. 5606-t. S. No. E-3978.)

On June 26, 1922, the United States attorney for the District of Maine, 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 41 barrels of vinegar, remaining unsold in the original unbroken packages at Brunswick, Me., consigned by the National Vinegar Co., from Brockton, N. Y., alleging that the article had been shipped on or about April 25, 1922, and transported from the State of New York into the State of Maine, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Pure Cider Vinegar * * * Distributed by National Vinegar Company, Buffalo, N. Y."

Adulteration of the article was alleged in the libel for the reason that distilled vinegar and vinegar made from evaporated apple products had been mixed and packed with and substituted wholly or in part for pure cider vinegar.

Misbranding was alleged for the reason that the statement appearing in the labeling, to wit, "Pure Cider Vinegar," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article.

On August 11, 1922, the Brockton Products Co., Brockton, N. Y., claimant, having consented to a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant, upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

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

10769. Adulteration of chloroform. U. S. v. 50 Cans of Chloroform. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16597. I. S. No. 14056-t. S. No. W-1149.)

On or about July 8, 1922, 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 50 cans, each containing 1 pound of chloroform, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by Charles Pfizer & Co., Galewood, Ill., on or about May 22, 1922, and transported from the State of Illinois into the State of Oregon, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "One Pound Chloroform U. S. P."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained impurities decomposable by sulphuric acid.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity, as determined by the test laid down in said Pharmacopœia, official at the time of investigation.

On August 8, 1922, 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.*

10770. Misbranding of Madame Dean female pills. U. S. v. 6 Packages of Madame Dean Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13653. I. S. No. 9205-t. S. No. E-2721.)

On September 15, 1920, the United States attorney for the Western District of North Carolina, 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 6 packages of Madame Dean female pills, at Greensboro, N. C., alleging that the article had been shipped on or about January 20, 1919, by Martin Rudy, Lancaster, Pa., and transported from the State of Pennsylvania into the State of North Carolina, and alleging 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 quinine, aloes, iron sulphate, senecio flowers and herb, ginger, and cornstarch.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements, appearing in the label of the article regard-

ing its curative and therapeutic effects, "(box and wrapper) Female Pills * * * give relief in Female Disorders of the menstrual functions * * * for Painful, Irregular, and Scanty Menstruation," (booklet) "* * * irregular, prolonged, or suppressed menstruation. * * * Female Pills afford relief for these ailments. * * * a remedy intended solely for the relief of Amenorrhoea, Desmenorrhoea, scanty and irregular menstruation, and other derangments of the reproductive system * * * especially valuable in the functional changes * * * of the menopause or change of life. * * * act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation, and assist in re-establishing or restoring the menstrual or monthly periods * * * strengthen and build up the uterine function," (circular) "* * * a great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel, * * * for irregular, painful, scanty or suppressed menstruations * * * should be taken * * * to assist nature with * * * disorders * * * during the change of life * * * Continue * * * the treatment until they give relief * * * great relief from Pains or Headache * * * for suppressed Menstruation, * * * continue their use until relieved * * * take * * * until the menstrual flow commences again." were false and fraudulent, as the article contained no ingredients or combinations thereof capable of producing the effects claimed.

On December 17, 1920, 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.*

10771. Adulteration of tomato catsup. U. S. v. 75 Cases, 50 Cases, and 450 Cases of Tomato Catsup. Decrees of condemnation and forfeiture. Product released on bond for sorting. (F. & D. Nos. 14641, 14642. I. S. Nos. 2989-t, 2990-t, 2991-t, 2993-t, 2985-t. S. Nos. C-2869, C-2870.)

On March 22, 1921, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 75 cases, 50 cases, and 450 cases of tomato catsup, at Shreveport, La., alleging that the article had been shipped on or about December 1 and November 24, 1920, by J. T. Polk Canning Co., Mound City, Ill., and transported from the State of Illinois into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act. The product was labeled variously: "Polk's Best Catsup;" "Unitus Brand Tomato Catsup;" "J. T. Polk Company, Chicago."

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On October 15, 1921, the case having come on for final disposition, upon the libels and the answer of Sears & Nichols Canning Co., intervenor, it was ordered by the court that the product might be released to said intervenor, upon payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act, conditioned in part that the goods be sorted under the supervision of this department and that the goods found to be adulterated be destroyed.

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

10772. Misbranding of DuBois pefic pills. U. S. v. 57 Bottles of DuBois Pefic Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14812. I. S. No. 10781-t. S. No. W-913.)

On April 21, 1921, 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 57 bottles of DuBois pefic pills, remaining unsold in the original unbroken packages at Denver, Colo., consigned by W. J. Baumgartner, Detroit, Mich., alleging that the article had been shipped on or about March 17, 1921, and transported from the State of Michigan into the State of Colorado, 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, with a coating of sugar and calcium carbonate.