

11021. Adulteration and misbranding of flavor of vanilla and flavor of lemon. U. S. v. 10 Cases of Flavor of Vanilla and 10 Cases of Flavor of Lemon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14980. I. S. Nos. 2828-t, 1504-t. S. No. C-3074.)

On June 7, 1921, the United States attorney for the Southern District of Alabama, 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 10 cases of flavor of vanilla and 10 cases of flavor of lemon, remaining unsold in the original unbroken packages at Selma, Ala., alleging that the articles had been shipped by the Lexington Wholesale Drug Co., Lexington, Ky., February 14, 1921, and transported from the State of Kentucky into the State of Alabama, and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part: "Contents $\frac{3}{4}$ Fluid Oz. Star Brand Flavor of Vanilla" (or "Flavor of Lemon") "For Flavoring Ice Cream, Custards, * * * Etc. Put up by Lexington Wholesale Drug Co. * * * Lexington, Ky."

Adulteration of the articles was alleged in substance in the libel for the reason that certain substances, to wit, a dilute alcoholic solution of vanillin and coumarin, in the case of the vanilla, and a dilute alcoholic solution containing a trace of citral, in the case of the lemon, had been mixed and packed with the respective articles so as to reduce and lower and injuriously affect their quality and strength and had been substituted wholly or in part for the said articles. Adulteration was alleged for the further reason that the articles were mixed in a manner whereby damage or inferiority was concealed.

Misbranding was alleged for the reason that the statements on the respective labels, to wit, "Flavor of Vanilla" and "Flavor of Lemon," were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the articles were imitations of and offered for sale under the distinctive names of other articles.

On May 20, 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. F. MARVIN, *Acting Secretary of Agriculture.*

11022. Misbranding of cottonseed meal. U. S. v. American Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 15459. I. S. No. 9251-t.)

On April 4, 1922, the United States attorney for the Western District of South Carolina, 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 American Cotton Oil Co., a corporation, trading at Greenville, S. C., alleging shipment by said company in violation of the Food and Drugs Act, on or about October 29, 1920, from the State of South Carolina into the State of North Carolina, of a quantity of cottonseed meal which was misbranded. The article was labeled in part: "Surety Brand Cotton Seed Meal 100 Lbs. Net Made By Union Seed & Fertilizer Co. From Greenville, S. C. Mill."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 34.91 per cent of protein, the equivalent of 6.79 per cent of ammonia.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Cotton Seed Meal" and "Guarantee Protein Not less than 36.00 per cent Equivalent to Ammonia 7.00 per cent," borne on the tags attached to the sacks containing the article, regarding the said article and the ingredients and substances contained therein, were false and misleading in that the said statements represented that the article consisted wholly of cottonseed meal, to wit, a product which contained not less than 36 per cent of protein, and that it contained not less than 36 per cent of protein, equivalent to 7 per cent of ammonia, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of cottonseed meal, to wit, a product which contained not less than 36 per cent of protein, and that it contained not less than 36 per cent of protein, equivalent to 7 per cent of ammonia, whereas, in truth and in fact, it did not consist wholly of cottonseed meal, to wit, a product which contained not less than 36 per cent of protein, but did consist of a mixture which contained less than 36 per cent of protein, and did not contain 36 per cent of protein, equivalent to 7 per cent of ammonia, but did contain a less amount, to wit, 34.91 per cent of protein, equivalent to less than 7 per cent of ammonia, to wit, 6.79 per cent of ammonia.

On or about September 21, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11023. Misbranding of Arthur's emmenagogue pills, Leslie's emmenagogue pills, Thomas' emmenagogue pills, Bick's nerve tonic, Bick's sextone pills, and Arthur's sextone tablets. U. S. v. 3 Boxes of Arthur's Emmenagogue Pills, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15608. S. No. C-3309.)

On or about November 26, 1921, the United States attorney for the Southern District of Alabama, 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 boxes of Arthur's emmenagogue pills, 4 boxes of Leslie's emmenagogue pills, 4 boxes of Thomas' emmenagogue pills, 4 packages of Bick's nerve tonic, 4 boxes of Bick's sextone pills, and 4 boxes of Arthur's sextone tablets, remaining unsold in the original unbroken packages at Selma, Ala., alleging that the articles had been shipped by the Palestine Drug Co., from St. Louis, Mo. [E. St. Louis, Ill.], June 11, 1920, and transported from the State of Missouri [Illinois] into the State of Alabama, 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 Arthur's emmenagogue pills, the Leslie's emmenagogue pills, and the Thomas' emmenagogue pills contained iron sulphate, aloes, and extract of plant drugs, coated with sugar and calcium carbonate, colored pink; the Bick's nerve tonic consisted of two products—brown tablets containing phosphorus and compounds of zinc and iron, coated with sugar and calcium carbonate, and yellow pellets containing compounds of iron, strychnine, and phosphorus, coated with sugar and calcium carbonate; the Bick's sextone pills consisted of two products—chocolate-coated pills containing a small amount of plant drugs, 50 per cent of sugar, 25 per cent of calcium carbonate, 7 per cent of iron oxid, and 7 per cent of powdered talc. and orange-colored tablets containing 31 per cent of metallic iron, 11 per cent of calcium carbonate, extract of nux vomica, and sugar; the Arthur's sextone tablets contained iron oxid, calcium carbonate, a compound of zinc, and extract of plant drugs, coated with sugar.

Misbranding of the articles was alleged in substance in the libel for the reason that the following statements appearing in the label'ngs, regarding the curative and therapeutic effect of the respective articles, (Arthur's, Leslie's, and Thomas' emmenagogue pills) (box) “* * * for Amenorrhœa, Dysmenorrhœa and other Menstrual Troubles * * * beginning treatment * * * before the regular monthly period * * * continue * * * until relief is obtained,” (Bick's nerve tonic) (wrapper) “* * * for Nervous Prostration and bodily aches and pains * * * a nerve * * * tonic * * * for all female complaints * * * for Weakness, Nervousness, Headache, Kidney Trouble, and loss of Power in either Sex * * * for female weakness, heart trouble and where a general breakdown of the nervous system exists,” (Bick's sextone pills) (box) “Bick's sextone pills * * * Composed of * * * Aphrodisiac Agencies * * *,” (Arthur's sextone tablets) (wrapper) “* * * Designed to correct * * * Evil Results Following Sexual or Alcoholic Excesses, Overwork, Worry, Etc. * * * Sextone Tablets For Either Sex Composed of * * * the Most Potent and Dependable Aphrodisiac Agencies * * *,” were false and fraudulent since the said articles contained no ingredients or combinations of ingredients capable of producing the effects claimed.

On May 20, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11024. Misbranding of Dr. Locock's cough elixir. U. S. v. 3 Dozen Bottles of Dr. Locock's Cough Elixir. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15616. S. No. C-3317.)

On or about November 19, 1921, the United States attorney for the Southern District of Alabama, 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 bottles of Dr. Locock's cough elixir, remaining unsold in the original unbroken packages at Mobile, Ala., alleging that the article had been shipped by I. L. Lyons & Co., Ltd., New Orleans, La., August