

On June 8, 1931, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18689. Misbranding of Dr. Ward's liniment. U. S. v. Forty-two 2-Ounce Bottles, et al., of Dr. Ward's Liniment. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 25598, 25599. I. S. Nos. 11664, 11669. S. Nos. 3808, 3818.)

Examination of samples of the drug product, Dr. Ward's liniment, having shown that the bottle and carton labels and the accompanying circular contained statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported to the United States attorney for the Northern District of California the interstate shipments herein described involving quantities of the product at San Francisco, Calif.

On January 5, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of one hundred and two 2-ounce bottles, one hundred and fifty-six 4-ounce bottles, and twenty-four 12-ounce bottles of the said Dr. Ward's liniment, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by Dr. Ward's Medical Co., from Winona, Minn., in various consignments on or about April 7, May 12, June 3, and October 7, 1930, and had been transported from the State of Minnesota into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of extracts of plant drugs, including capsicum and sassafras, small proportions of volatile oils including camphor, soap, alcohol and water, colored red.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "Used as an antidote for Alkali Water, for excessive thirst, and for all troubles emanating from changing and drinking bad water; also for troubles caused by eating unripe fruit and for all poisons emanating from decay and putrefaction [similar statements in foreign languages];" (carton and bottle labels) "For Internal Use in Cases of Cholera Morbus, Diarrhoea, Dysentery, Ordinary Colic, Chills and Ague, Ordinary Sore Throat, * * * etc. For External Use in Cases of * * * Swellings, Chilblains, * * * Muscular Rheumatism, etc. * * * Sweeny and Colic (similar statements in foreign languages)."

On July 23, 1931, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18690. Adulteration and misbranding of Ozojell. U. S. v. 21 Packages of Ozojell. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26356. I. S. No. 5773. S. No. 4664.)

Examination of samples of the drug product Ozojell showed that the article was represented to be an antiseptic and germicide, whereas it was not, also that it was labeled as possessing curative and therapeutic properties which it did not possess.

On May 19, 1931, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 21 packages of the said Ozojell, alleging that the article had been shipped by Yglesias & Co. (Inc.), New York, N. Y., on or about November 28, 1930, to Porto Rico, and was being sold and offered for sale in Porto Rico by the Drug Co. of Porto Rico (Inc.), San Juan, P. R., and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of an ointment with a lanolin and lard base, containing menthol, chlorbutanol, salol, and volatile oils including cinnamon oil and bitter almond oil. Bacteriological examination showed that the article was incapable