

since the bottles in the said lots contained less than 12 ounces, and in some instances contained less than 11 ounces.

On February 10, 1932, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$440.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19191. Misbranding of Dill's balm. U. S. v. 114 Small and 10 Large Packages of Dill's Balm. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27181. I. S. Nos. 37858, 37859. S. No. 5322.)

Examination of a drug product, known as Dill's balm, from the shipment herein described having shown that the labeling bore statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Delaware.

On or about October 24, 1931, the United States attorney filed in the District Court of the United States for the District of Delaware a libel praying seizure and condemnation of 115 small and 10 large packages of Dill's balm, remaining in the original unbroken packages at Wilmington, Del., consigned September 25, 1931, alleging that the article had been shipped by the Dill Co., from Norristown, Pa., and had been transported from the State of Pennsylvania into the State of Delaware, 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 ammonia, volatile oils including sassafras oil, cinnamon oil, and camphor, extracts of plant drugs, alcohol (61.8 per cent by volume), and water.

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 effect of the article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label) "For pain in stomach and bowels, Colic, Intestinal Cramp, Diarrhoea, Cholera-Morbus, * * * sore throat;" (carton) "For the relief of pain in the stomach and bowels, colic, diarrhoea, intestinal cramp, cholera-morbus."

On December 31, 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.*

19192. Misbranding of Dr. Hale's household tea and Dr. Hale's household ointment. U. S. v. 33 Small and 12 Large Packages of Dr. Hale's Household Tea, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 27587, 27588. I. S. Nos. 38986, 38992. S. Nos. 5528, 5579.)

Examination of drug products, known as Dr. Hale's household tea and Dr. Hale's household ointment, from the shipments herein described having shown that the labeling bore statements representing that the articles possessed curative and therapeutic properties which they did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Massachusetts.

On December 24, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 33 small and 12 large packages of Dr. Hale's household tea and 69 small and 12 large packages of Dr. Hale's household ointment, remaining in the original unbroken packages at Boston, Mass., alleging that the articles had been shipped by Kenyon & Thomas Co., from Adams, N. Y., in part on or about June 15, 1931, and in part on or about November 21, 1931, and had been transported from the State of New York into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the articles by this department showed that Dr. Hale's household tea consisted of a mixture of plant drugs including senna, buckthorn, galium, teucrium, and berberis; and Dr. Hale's household ointment consisted essentially of petrolatum and volatile oils such as camphor, thyme oil, and turpentine oil.