

form: (Bottle label) "Alcohol 8%, Chloroform 3 M. to each Fl. ounce."; (carton) "Alcohol 8 Per Cent. Chloroform 4 Minims, * * * to Each Fl. Ounce."

On June 15, 1938, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29050. Misbranding of Betix. U. S. v. 72 Packages of Betix. Default decree of condemnation and destruction. (F. & D. No. 41733. Sample No. 8357-D.)

The labeling of this product bore false and fraudulent curative and therapeutic claims.

On February 21, 1938, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 72 packages of Betix at Evanston, Ill.; alleging that the article had been shipped in interstate commerce on or about January 6, 1938, from Milwaukee, Wis., by the Scheide-mann Co.; and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of the article showed that it consisted essentially of a coarsely ground plant material composed mainly of juniper wood, bark, needles, and berries, and small quantities of uva ursi and senna leaves.

The article was alleged to be misbranded in that the statement borne on the package label, "Betix is * * * a palatable, stimulating * * * beverage that promotes elimination and assists in balancing the body chemistry," meant to sufferers from diabetes that their bodies would regain the ability to convert sugar in the blood into the substances normally produced in healthy persons, in that the word "Betix" was a device, that the aforesaid statement and device were representations regarding the curative and therapeutic effects of the article, and were false and fraudulent since they meant to the purchaser that the article was a treatment for diabetes, having attained such meaning as a result of such statement and a circular entitled "Facts About Betix," a supply of which was received by the consignee from the consignor and which was distributed to customers and prospective customers.

On April 25, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*