

7030. Misbranding of Texas Wonder. U. S. * * * v. 24 Packages and 76 Packages of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 9550, 9551. I. S. Nos. 2446-r, 2447-r. S. Nos. W-262, 263.)

On or about December 26, 1918, the United States attorney for the Southern District of California, 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 24 packages and 76 packages of Texas Wonder, remaining unsold in the original unbroken packages at Los Angeles, Cal., alleging that the article had been shipped on April 17, 1918, and on April 1, 1918, October 4, 1918, and December 4, 1918, by E. W. Hall, St. Louis Mo., and transported from the State of Missouri into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Texas Wonder, Hall's Great Discovery for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism, Dissolves Gravel, Regulates Bladder Trouble in Children."

Examination of a sample of the article from a previous shipment by the Bureau of Chemistry of this department showed it to consist essentially of oleoresin of copaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements borne on the labels of the packages were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it. Misbranding of the article was alleged in substance for the further reason that the statement borne on the package, to wit, "Dr. E. W. Hall, Sole Manufacturer," indicated that the article was manufactured by a physician, whereas, in truth and in fact, the said E. W. Hall was not a physician.

On June 24, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,

Acting Secretary of Agriculture.

7031. Adulteration and misbranding of olive oil. U. S. * * * v. 3 Cases and 8 Quart Cans of Alleged Olive Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9553. I. S. No. 5860-r. S. No. C-1025.)

On December 27, 1918, the United States attorney for the Northern District of Ohio, 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 cases and 8 quart cans of alleged olive oil at Akron, O., alleging that the article had been shipped on or about August 13, 1918, by the Italo American Distilling Co., Chicago, Ill., and transported from the State of Illinois into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled: (On cans) "One Full Quart Net Italy Pure Olive Oil (design of medals) Philip Berio & C Lucca Tuscany" (On cases) "Italian Produce Pure Olive Oil * * * Berio & C Lucca Tuscany Italy * * * 40 One Quart Cans."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil and corn oil had been mixed and packed with, and substituted for, olive oil, which the article purported to be, so as to reduce and lower its quality, strength, and value.

Misbranding of the article was alleged for the reason that the above-quoted statements borne on the labels of the cans and cases, together with the designs