

7498. Misbranding of Black-Caps. U. S. * * * v. 6 Dozen Packages of * * * Black-Caps. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10805. I. S. No. 15761-r. S. No. E-1594.)

On July 2, 1919, the United States attorney for the District of Maryland, 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 6 dozen packages of a drug known as "Black-Caps," consigned on March 6, 1919, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Safety Remedy Co., Canton, Ohio, and transported from the State of Ohio into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Black-Caps Recommended for the Treatment of Affections of the Mucous Membranes. * * * The value of the several medicines used, whether singly or in composition, is recognized by eminent authorities as stimulant to the mucous membranes, rendering prompt service in the relief of inflamed or irritated conditions of the passages, through the medication of the exposed mucous surfaces. * * * Attesting the medicinal efficacy of the component drugs entering into this prescription in the treatment of diseased Mucosa, The United States Dispensatory is quoted in effect: 'Copaiba—As a remedy it has been found useful in Catarrhs, particularly of a chronic character. It is given with advantage in Leucorrhœa, Chronic Cystitis, and Chronic Bronchitis. Cubebs—Has been given in Leucorrhœa, Cystorrhœa, Abscess of the Prostate Gland, and Chronic Bronchitis. In connection with Copaiba it has been especially recommended in affections of the neck of the Bladder, and Prostatic portion of the Urethra. Saw Palmetto—There is much clinical testimony as to its value, and it probably acts by reducing the Catarrhal irritation, and relaxed condition of the Mucous membranes of the Bladder and Urethra.'"

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of cubebs, balsam of copaiba, and an unidentified vegetable drug.

Misbranding of the article was alleged in the libel for the reason that the foregoing statements borne on the packages, regarding the curative and therapeutic effects thereof, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed for it.

On November 3, 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 be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7499. Misbranding of emulsion of copaiba (Prescription 1000). U. S. * * * v. 21 Bottles of Emulsion of Copaiba. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10621. I. S. No. 14201-r. S. No. E-1543.)

On June 14, 1919, the United States attorney for the District of Connecticut, 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 21 bottles of emulsion of copaiba, remaining unsold in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped on or about March 27, 1919, by the Reese Chemical Co., Cleveland, Ohio, and transported from the State of Ohio into the State of Connecticut, and charging misbranding in violation of the Food and Drugs Act, as amended.