

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effects of the article, appearing in the labeling, were false and fraudulent as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 9, 1920, no claimant having appeared for the property, a default decree of condemnation, forfeiture, and destruction 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.*

**SS39. Misbranding of Arthur's Sextone Tablets. U. S. \* \* \* v. 4 Boxes of Arthur's Sextone Tablets. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13685. I. S. No. 439-t. S. No. C-2497.)

On or about September 27, 1920, the United States attorney for the Western District of Oklahoma, 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 4 boxes of Arthur's Sextone Tablets, remaining unsold in the original unbroken packages at Erick, Okla., alleging that the article had been shipped on or about January 15, 1920, by the Palestine Drug Co., St. Louis, Mo., and transported from the State of Missouri into the State of Oklahoma, and charging adulteration under the Food and Drugs Act, as amended. The article was labeled in part: "Arthur's Sextone Tablets;" (wrapper) " \* \* \* Designed to Correct \* \* \* the Evil Results Following Sexual or Alcoholic Excesses, Overwork, Worry, Etc \* \* \* Sextone Tablets for either sex Composed of \* \* \* the Most Potent and Dependable Aphrodisiac Agencies \* \* \*;" (circular) " \* \* \* Sextone Tablets \* \* \* cases of exhaustion of nervous energy \* \* \* stimulate the Sexual Plexes \* \* \* nourish the nervous system and build it up \* \* \*."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the pills were composed essentially of iron and zinc salts, caffeine, unidentified plant extractives, and traces of phosphates.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements borne on the label, with respect to the curative and therapeutic effects of the article, were false and fraudulent as the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On November 15, 1920, no claimant having appeared for the property, a default decree of condemnation, forfeiture, and destruction 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.*

**SS40. Misbranding of Leonard Ear Oil. U. S. \* \* \* v. 13 Dozen Cartons of Leonard Ear Oil. Consent decree of condemnation, forfeiture, and destruction.** (F. & D. No. 11364. I. S. No. 3005-r. S. No. W-510.)

On September 26, 1919, 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 a libel for the seizure and condemnation of 13 dozen cartons of Leonard Ear Oil, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by A. O. Leonard, New York, N. Y., September 11, 1919, and transported from the State of New York 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 the Bureau of Chemistry of this department showed that it consisted essentially of a solution of camphor, oil of eucalyptus, and a trace of alkaloidal material in mineral oil.

Misbranding of the article was alleged in substance in the libel for the reason that the therapeutic effects claimed for it on the cartons and labels and in the circulars enclosed in each of the cartons, as follows, (carton) "A Glandular \* \* \* Oil Recommended for Relief of Deafness, Head Noises, Discharging, Itching, Scaly Ears \* \* \* and Ear Ache \* \* \* Deafness, Head Noises and Ear Troubles," (label) "Leonard Ear Oil Recommended for Relief of Deafness, Head Noises, Dry, Itching, Aching and Discharging Ears," (circular, headed "Common Sense Care of the Hearing") "For relief of catarrhal deafness and head noises and other kinds of deafness and ear troubles \* \* \*," (circular containing testimonials) "Leonard Ear Oil Proof of Success A Glandular \* \* \* Oil for Relief of Deafness, Head Noises and for Relief of Discharging, Itching, Scaly Ears and Ear Ache \* \* \* has relieved the Deafness and Head Noises of more people than any known remedy," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 20, 1920, A. O. Leonard, New York, N. Y., claimant, having consented to a decree, 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.*

**SS41. Misbranding of D. D. D. U. S. \* \* \* v. 62 Dozen Bottles (30 Dozen Large Size and 20 Dozen Medium Size, Ordinary Strength, and 12 Dozen Large Size, Extra Strength) of D. D. D. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12250. I. S. Nos. 3310-r, 3311-r. S. No. W-580.)**

On February 27, 1920, 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 a libel for the seizure and condemnation of 62 bottles, composed of 30 dozen large size and 20 dozen medium size, ordinary strength, and 12 dozen large size, extra strength, of D. D. D., remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the D. D. D. Co., Chicago, Ill., on or about September 29, October 21, November 7, December 2, and December 29, 1919, respectively, and transported from the State of Illinois into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted essentially of phenol, chloral hydrate, salicylic acid, with small amounts of methyl salicylate and thymol in glycerin, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the following therapeutic effects of said article were claimed and stated on the carton and bottle and in the accompanying circular and booklet, (ordinary strength) (carton) "D. D. D. Remedy for Eczema and Diseases of the Skin and Scalp, Psoriasis, Pimples, Tetter, Red Nose, Salt Rheum, Dandruff, Ivy Poison, Hives, Itching Piles \* \* \* Itch, Barber's Itch, Dermatitis, Herpes, Sycosis," (bottle) "D. D. D. Prescription for the Skin and Scalp," (circular) "To subdue Eczema and Skin Diseases \* \* \* Use D. D. D. The Lotion for Skin Disease," (booklet) "D. D. D. The Lotion for Skin Disease \* \* \* In nearly all instances D. D. D. gives relief at once \* \* \* D. D. D. is a treatment \* \* \* the most common form of skin diseases suc-