

9061. Misbranding of Knoxit. U. S. * * * v. 3 Dozen Bottles * * *
of a Product Purporting To Be Knoxit. Default decree of condem-
nation, forfeiture, and destruction. (F. & D. No. 10151. I. S. No.
7880-r. S. No. C-1188.)

On May 2, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on June 26, 1919, an amended libel, for the seizure and condemnation of 3 dozen bottles of a product purporting to be Knoxit, remaining in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped on or about March 27, 1919, by the Beggs Mfg. Co., Chicago, Ill., and transported from the State of Illinois into the State of Indiana, 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 zinc acetate, hydrastis alkaloids, glycerin, and water, perfumed with oil of rose.

It was alleged in substance in the libel that the article was misbranded for the reason that certain statements appearing on the cartons, bottle labels, and in the accompanying circulars, regarding the curative and therapeutic effects of said articles, falsely and fraudulently represented it to be effective as a remedy for gonorrhea, catarrhal affections of the eye, nose, and throat, inflammation of the mucous membranes, beneficial in the treatment of hemorrhoids, ulcers, and other mucous irritations, as a prophylactic for inflammation of the mucous membranes, effective for gonorrhea and blenorhea of long standing, and as a prophylactic, when, in truth and in fact, it was not.

On January 2, 1920, 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. BAIL, *Acting Secretary of Agriculture.*

9062. Misbranding of Santal Midy Capsules. U. S. * * * v. 16 Dozen
Bottles * * * Santal Midy Capsules. Consent decree of con-
demnation and forfeiture. Product ordered released on bond.
(F. & D. No. 10252. I. S. No. 2583-r. S. No. W-329.)

On May 7, 1919, the United States attorney for the Northern 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 16 dozen bottles, labeled in part "Santal Midy capsules * * * Bottled in the New York Laboratories of Dr. Ph. Chapelle," remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped on December 16, 1918, by E. Fougere & Co., New York, N. Y., 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 of oil of sandalwood.

It was alleged in substance in the libel that the article was misbranded for the reason that the following statements appeared in the circular accompanying each bottle of the article: "Santal-Midy * * * in the treatment of gonorrhea, gleet and discharges from the urinary organs. * * * 'affords relief, * * * contributed to a great number of cures. * * * gonorrhea in the acute stage, * * * Inflammation of the Bladder.—When the bladder walls are inflamed, and even when there is hemorrhage, it is still useful on account of its peculiar soothing action on mucous surfaces. In nearly every case of hematuria, * * * Suppurative nephritis. * * * Catarrh

of the Bladder. * * * chronic catarrh of the bladder * * * Vesical Catarrh of Old Age * * * stricture of the urethra and congestion of the prostate, * * * Acute Cystitis, when the urine is colored with blood, and inflammation of the neck of the bladder, * * * assists elimination of the uric acid indicated by the red deposit in the urine resembling gravel.' * * * when the urethral catarrh is accompanied by cystitis * * *," whereas said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it, and the statements in the circular as aforesaid were false and fraudulent. Misbranding was alleged for the further reason that two certain circulars, copies of which were attached to the libel by the United States attorney, marked "Exhibit A" and "Exhibit B," and made a part of the libel, bore and contained statements, regarding the curative and therapeutic effects of the article and the ingredients and substances contained therein, which were false and fraudulent for the reason that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it therein.

On October 11, 1919, the said E. Fongera & Co., 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 delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

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

9063. Misbranding of Big G. U. S. * * * v. One Gross Bottles of * * * Big G. Default decree of destruction. (F. & D. No. 10415. I. S. No. 16218-r. S. No. E-1452.)

On May 30, 1919, the United States attorney for the Southern District of Florida, 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 one gross bottles of an article labeled in part "Big G," at Jacksonville, Fla., consigned by the Evans Chemical Co., Cincinnati, Ohio, alleging that the article had been shipped on or about February 14, 1919, and transported from the State of Ohio into the State of Florida, 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 an aqueous solution of borax and berberine. Hydrastine was absent.

It was alleged in the libel that the strength and purity of the article fell below the professed standard and quality under which it was sold. Misbranding of the article was alleged in substance for the reason that the label on the carton containing it bore the following statement, "A compound of Borated Goldenseal," whereas it contained no borated goldenseal. It was alleged in substance that the article was misbranded for the further reason that the label upon said cartons and upon the bottles contained therein, and appearing in the booklets accompanying the article, contained the following statements regarding the curative and therapeutic effect of the said article, (carton) "Big G. A compound of Borated Goldenseal. A remedy for Catarrh, Hay Fever, and Inflammations, Irritations or Ulcerations of mucous membranes or Linings of the Nose, Throat, Stomach and Urinary Organs," (bottle) "Big G. A Non-poisonous Tonic, * * * A Treatment For Unnatural Discharges of the urinary organs, Catarrh, Hay Fever and Inflamed, Ulcerated, Itching conditions of the skin and mucous membrane or linings of the Mouth, Nose, Throat, Eye and Ear," (booklet) "Catarrh * * * Chronic, of the Head. * * *