

Me., alleging that the article had been shipped on or about June 12 and May 7, 1920, and transported from the State of Massachusetts into the State of Maine, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that distilled vinegar had been mixed and packed with, and substituted wholly or in part for, apple cider vinegar.

Misbranding was alleged for the reason that the statements appearing in the labeling of the article, respectively, to wit, "Crescent Brand Pure Cider Vinegar," "Pure Cider Vinegar," and "Pure 4C Cider Vinegar made from Apples," were false and misleading so as to deceive and mislead the purchaser, and for the further reason that said article was an imitation of, and offered for sale under the distinctive name of, another article.

On August 30 and September 13, 1920, and February 10, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal and that the barrels in which the same was contained be sold.

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

9106. Misbranding of Chase's Nerve Pills. U. S. * * * v. 10 Dozen Packages and 81 Packages * * * of Dr. A. W. Chase's Nerve Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13361, 13362. I. S. Nos. 12400-t, 1213-t. S. Nos. C-2165, C-2257.)

On August 18, 1920, the United States attorney for the Southern District of Ohio, 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 10 dozen packages and 81 packages, more or less, of Dr. A. W. Chase's Nerve Pills, consigned by the Dr. A. W. Chase Medicine Co., Buffalo, N. Y., about June 7 and January 13, 1920, respectively, remaining unsold in the original packages at Columbus, Ohio, alleging that the article had been transported from the State of New York into the State of Ohio, 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 the pills consisted essentially of strychnine, arsenic, manganese, ferrous carbonate, and aloes.

It was alleged in substance in the libels that the article was misbranded for the reason that on the packages and containers thereof it was represented that said product was "Used In The Treatment Of * * * Nervous Prostration * * * Nervous Headache Nervous Dyspepsia * * * Irregular Heart Action Dizziness & Fainting Sleeplessness * * * impart new life and strength to every organ of the body, create new brain and nerve tissue, and make it next to impossible for the following diseases and symptoms of diseases to set in: Nervous prostration, exhaustion, depression, * * * sleeplessness, * * * lack of energy, ambition and nerve force, paralysis, and locomotor ataxia; * * * diseased blood, * * * female troubles, leucorrhea * * *, painful, profuse or suppressed menstruation, tardy development of girls, sexual debility, loss of vital forces, premature decay, heart affections, neuralgia, rheumatism, la grippe, and all diseases of the brain and nerves. * * * On account of their extraordinary restorative influence and * * * action on the system, * * * Nerve Pills are especially suited to the needs of children. * * * weak and puny boys and girls become strong, healthy and robust. * * * nourish the blood and nerves * * * nourish the weakened and

exhausted nervous system back to health and strength, * * * through the nerve fibres, * * * send new vitality through the whole human system. * * * nerves * * * must be completely restored by such nourishment as can best be supplied by * * * Nerve Pills, the great restorative * * * loss of sensation in the hands, partial loss of memory * * * dizziness and uncertainty in walking. * * * should be treated * * * while there is hope of complete recovery. * * * Nerve Pills, * * * restore the wasted nerve force, * * * by strengthening the nerves give them full control of the female organs. * * * no preparation known * * * will more quickly create new, rich blood than * * * Nerve Pills * * * contain the life-giving principles that entitle the blood to be called the 'vital fluid.' * * * make pale weak men and women strong and healthy. * * * give to the thin and emaciated a well rounded form which tells of a steady advance in health. * * *," that said product purported to contain and be a cure for such diseases, disorders, and symptoms only by reason of the statements on the labels of the packages or containers of the article, which said statements were false, fraudulent, and misleading in that the article had little or no ingredients capable of producing the curative and therapeutic effects claimed therefor.

On February 4, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were 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.*

9107. Adulteration and misbranding of lithia water. U. S. * * * v. 25. Cases * * * of a Product Purporting to be Lithia Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13869. I. S. No. 7489-t. S. No. E-2851.)

On November 16, 1920, the United States attorney for the Southern District of New York, 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 25 cases of a product purporting to be lithia water, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about September 9, 1920, by the Equinox Mountain Spring Co., Manchester, Vt., and transported from the State of Vermont into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Equinox Equinox Spring Co. Manchester Vermont The Equinox Mountain Spring Inc. * * * Trade Mark Registered Equinox Lithia Water Artificially Carbonated Bottled at Equinox Springs Manchester, Vermont, U. S. A."

Adulteration of the article was alleged in the libel for the reason that an artificially prepared mineral water had been substituted wholly or in part for the actual lithia water, which the article purported to be.

Misbranding was alleged for the reason that the packages containing the article and the labels thereon bore statements regarding the said article and the ingredients and substances contained therein, to wit, "Equinox Lithia Water * * * Bottled at Equinox Springs," "The Equinox Mountain Spring," which were false and misleading and deceived and misled the purchaser when applied to an artificial mineral water, prepared by adding a salt of lithium, sodium chlorid, and sodium bicarbonate to a lightly mineralized spring water, and for the further reason that said article was an imitation of, and was offered for sale under the distinctive name of, another article.

On January 24, 1921, 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.*