

9260. Adulteration and misbranding of olive oil. U. S. * * * v. 190 Cases, Each Containing 12 Gallon Cans, and 160 Cases, Each Containing 24 Half-Gallon Cans, of * * * Olive Oil. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 11023. I. S. No. 2194-r. S. No. W-445.)

On July 24, 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 190 cases, each containing 12 gallon cans, and 160 cases, each containing 24 half-gallon cans, of olive oil, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Strohmeier & Arpe Co., New York, N. Y., on or about June 21, 1919, and transported from the State of New York into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Olio D'Oliva Purissimo Garantito Marca Re Umberto I. Choicest Pure Olive Oil Pure Olive Oil. * * * S. M. Umberto I Re D'Italia Re Umberto I Brand Pure Olive Oil Net Contents 1-gallon" (or " $\frac{1}{2}$ -gallon"), together with a photo of the King of Italy, medals, flags, and olive branches bearing olives.

Adulteration of the article was alleged in the libel for the reason that Spanish olive oil had been substituted wholly or in part for Italian olive oil, which the article purported to be.

Misbranding was alleged for the reason that the cans containing the article were labeled as aforesaid, which statements, designs, and devices were false and misleading and deceived and misled the purchaser thereof into the belief that the article was olive oil of Italian origin, whereas it was a Spanish olive oil.

On September 16, 1919, the Strohmeier & Arpe Co. having entered an appearance as claimant for the property, and having confessed that the article was adulterated and misbranded as alleged in the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the article be relabeled as prescribed and directed by this department.

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

9261. Misbranding of Bliss Native Herbs. U. S. * * * v. 15 Dozen Boxes of * * * Bliss Native Herbs * * *. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11404. I. S. Nos. 3002-r, 3003-r. S. No. W-496.)

On November 19, 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 15 dozen boxes of Bliss Native Herbs, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Alonzo O. Bliss Medical Co., Washington, D. C., between the dates January 12 and May 1, 1919, and transported from the District of Columbia 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 aloes, buchu, licorice, galangal, and a resin-bearing drug.

Misbranding of the article was alleged in substance in the libel for the reason that it was labeled in part as follows, (outer carton, herb form) "* * * Many of the ills of to-day are due to the present-day mode of life; the nervous

strain, irregularity of habits, indiscretion of diet, etc., are much benefited by the regular use of Bliss Native Herbs, * * *," (inner carton, herb form) " * * * Treatment is the same in all cases except chills, which require three tablespoonfuls the first night, two the next, and then one each night. * * *," (circular contained in all packages) " * * * Auto-Intoxication is a new name for Chronic Intestinal stasis (constipation) that is the cause of 95% of human ailments and diseases. * * * To restrain the growth of harmful bacteria in the intestines and eliminate them, thereby preventing intestinal putrefaction and auto-intoxication we strongly recommend Bliss Native Herbs Tablets that successfully adjusts bowel troubles. Intestinal Indigestion * * * Rheumatism Bliss Native Herbs is invaluable for Sciatica, Lumbago, acute and chronic rheumatic pains, enlargement of joints. Corrects the blood, dissolving acids that accumulate in the system. * * *," which statements and claims were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed.

On April 6, 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.*

9262. Misbranding of Benetol Vaginal Suppositories. U. S. * * * v. 33 Boxes of * * * Benetol Vaginal Suppositories Number 2 and 24 Boxes and 6 Boxes of * * * Benetol Vaginal Suppositories * * *. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 11490, 11575. I. S. Nos. 3011-r, 3012-r. S. Nos. W-525, W-530.)

On November 7, 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 33 boxes of Benetol Vaginal Suppositories Number 2 and 24 boxes and 6 boxes of Benetol Vaginal Suppositories, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Benetol Co., Minneapolis, Minn., between the dates May 14 and September 29, 1919, and transported from the State of Minnesota 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 the suppositories consisted essentially of alpha- and beta-naphthol, boric acid, and traces of menthol and phenol in a cacao butter base.

It was alleged in substance in the libel that the article was misbranded for the reason that certain statements regarding the therapeutic effects of said article, appearing on the box label and in an accompanying booklet, falsely and fraudulently represented it to be effective for the treatment of the special diseases of women, to be effective when used in the vagina as a general disinfectant and local tonic, and for the treatment of leucorrhea (whites), vaginitis, vulvitis, cervicitis, endometritis, gonorrhea, and all diseases of the vagina, and for inflammation or irritation of the cervix (mouth of the womb), when, in fact and in truth, it was not effective for the treatment of the diseases and conditions named.

On April 6, 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.*