

Mfd April 1919 Net Contents One Pint Naas Cider & Vinegar Co., Inc., Cohocton, N. Y.;" (barrels) "Pure Cider Vinegar Steuben Brand Made From Apples Reduced to 4 Percentum Mfd Naas Cider & Vinegar Co. Inc. Cohocton, N. Y."

Adulteration of the article was alleged in substance in the libel for the reason that distilled vinegar had been mixed and packed with said article so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly or in part for cider vinegar, which the article purported to be. Adulteration was alleged for the further reason that the article was mixed in a manner whereby damage or inferiority was concealed.

Misbranding was alleged in substance for the reason that the labels upon the bottles and barrels bore the following statements and design, respectively, regarding the said article, "Cider Vinegar Fermented" (design showing red apple) "\* \* \* Made From Apples," and "Pure Cider Vinegar \* \* \* Made From Apples," which were false and misleading and were intended to induce the purchaser to believe that the article was cider vinegar, whereas, in truth and in fact, it was not, but was a product deficient in cider vinegar and containing distilled vinegar. Misbranding was alleged for the further reason that the said article was food in package form, and the quantity of the contents thereof was not plainly and conspicuously stated in terms of weight and measure on the outside of the said package, and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, cider vinegar.

On March 14, 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.*

**9336. Misbranding of Cadomene Tablets. U. S. \* \* \* v. 14 Packages, 52 Dozen Bottles, and 2½ Dozen Bottles \* \* \* of Cadomene Tablets. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 14263, 14275, 14281. I. S. Nos. 5168-t, 5169-t, 5430-t. S. Nos. E-3069, E-3071, E-3079.)

On January 26, 29, and 31, 1921, respectively, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels of information for the seizure and condemnation of 14 packages, 52 dozen bottles, and 2½ dozen bottles, more or less, of Cadomene Tablets, remaining in the original unbroken packages, in part at Boston and in part at Worcester, Mass., alleging that the article had been shipped by the Blackburn Products Co., Dayton, Ohio, on or about October 6 and September 14, 1920, and January 12, 1921, respectively, and transported from the State of Ohio into the State of Massachusetts, 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 the tablets consisted essentially of zinc phosphid, strychnine, and iron salts.

Misbranding of the article was alleged in substance in the libels of information for the reason that the following statements regarding its curative and therapeutic effect, (bottle label) "Invigorating \* \* \* for the Treatment of \* \* \* Neurasthenia (Nerve Exhaustion), General Debility, Melancholy, Dizziness, Heart Palpitation, Trembling Weakness, Waning Strength, Functional Irritation of the Urinary Tract, Languor and many other Symptoms due to \* \* \* Worry, Grief, Intemperance, Dissipation, Overwork, Mal-Nutrition, Convalescence from Influenza, etc. \* \* \*," (circular) "\* \* \* the benefits to be derived from their use, are such as to recommend them to all who may be afflicted with \* \* \* Neurasthenia, Nervous Exhaustion, General Debility, Melancholy, Dizziness, Heart Palpitation, Trembling Weakness, Waning Strength, Functional Irritation of the Urinary Tract, Languor and

many other symptoms due to \* \* \* Worry, Grief, Intemperance, Dissipation, Mal-Nutrition, Overwork, Etc. \* \* \* valuable for those who are despondent, nervous, irritable and unable to act naturally under the most ordinary circumstances. \* \* \*,” were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 29, 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.*

**9337. Misbranding of Kalina Tablets. U. S. \* \* \* v. 9 Boxes, 24 Boxes, and 218 Boxes \* \* \* of Kalina Tablets. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 14285, 14286, 14292. I. S. Nos. 5017-t, 5026-t, 5446-t. S. Nos. E-3112, E-3113, E-3167.)

On February 9, 1921, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels of information, and thereafter amendments thereto, for the seizure and condemnation of 9 boxes and 24 boxes of Kalina Tablets, and on March 8, 1921, a libel of information for the seizure and condemnation of 218 boxes of Kalina Tablets, remaining in the original unbroken packages at Gardner, Ware, and Lawrence, Mass., respectively, alleging that the article had been shipped in part by J. M. Rutkowski and in part by the Kalina Co., from Buffalo, N. Y., on or about December 27, October 15, and May 1, 1920, respectively, and transported from the State of New York into the State of Massachusetts, 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 tablets consisted essentially of plant extractives, including cascara, aloes, pepper, and strychnine.

It was alleged in substance in the libels of information that the article was misbranded in that the following statements, regarding its curative and therapeutic effect, appearing in the labeling of all consignments of the product, (label) “\* \* \* Health Restorer For \* \* \* Nervousness, Palpitation of the Heart, Female Troubles, Catarrh, Liver and Kidney Diseases, Headache \* \* \* A Great Blood Purifier \* \* \* For Tired Feeling, Dizziness, Poor Appetite, Piles, Pimples on Face, Skin Troubles and all Blood Disorders \* \* \* All diseases and impurities lurking in the stomach, blood and the whole system, will be eliminated from the body gradually \* \* \* When finishing the cure, one tablet in two days, and later one in three days, will be amply sufficient,” (pink circular) “\* \* \* Whenever you get \* \* \* Catarrh \* \* \* overwork, or feel any ailment or weakness, take \* \* \* Kalina Tablets, \* \* \* By doing this, you will never be seriously sick, and thereby will avoid a great deal of suffering \* \* \*. In cases where disease has settled deeply it is necessary to take Kalina Tablets, every day regularly, \* \* \* by which action all the foreign substances in the Form of Various Diseases Gradually Vanish together with the impurities of the body. In cases where the disease has been chronic and of long duration, it is necessary to use Kalina Tablets, regularly and constantly for a few months, even a year, but finally the body will get rid of the disease and the sick person will regain perfect health and strength. \* \* \*,” (pink circular in Polish) “Directions for use Kalina Pills \* \* \* All diseases and impurities settled in the stomach, blood and in the entire system pass away \* \* \* Kalina Pills \* \* \* will cure not only some even chronic diseases, but will keep the body healthy, ruddy, and beautiful to late age. \* \* \* pimples, boils, scabs, blackheads, tetter, in general ugliness, howsoever on body and face,” and the following statements appearing in a portion of the product, (white circular in Polish) “\* \* \* for diseases of the blood, liver, and kidneys. \* \* \* Rheumatism, catarrh of the stomach, fainting