

United States Department of Agriculture,

BUREAU OF CHEMISTRY.

W. G. CAMPBELL, Acting Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 9501-9550.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., November 15, 1921.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

9501. Alleged misbranding of Diamond's rheumatism and neuralgia powders. U. S. * * * v. Joseph Diamond. Tried to the court and a jury. Verdict of not guilty. (F. & D. No. 14521. I. S. No. 199-r.)

On June 16, 1921, 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 an information against Joseph Diamond, Jacksonville, Fla., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about April 19, 1920, from the State of Florida into the State of Georgia, of a quantity of Diamond's rheumatism and neuralgia powders which were alleged to have been misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a powdered mixture of sulphur, potassium nitrate, guaiac, and rhubarb.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the carton containing the said article and in the accompanying circular, falsely and fraudulently represented it to be effective as a relief, treatment, remedy, and cure for rheumatism, neuralgia, dyspepsia, indigestion, impure blood, neuritis, lumbago, and female troubles, when, in truth and in fact, it was not.

On July 9, 1921, the case was tried to the court and a jury. After the submission of evidence, arguments by counsel, and oral instructions by the court to the jury, the jury retired and after due deliberation, on July 11, 1921, re-

C. W. PUGSLEY, *Acting Secretary of Agriculture.*