

**9546. Misbranding of Pratt's Conditioner. U. S. \* \* \* v. 11 Boxes \* \* \* of Drug Products. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 14418. I. S. No. 1720-t. S. No. C-2774.)

On or about February 8, 1921, the United States attorney for the Southern District of Texas, 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 11 boxes of drug products, represented to be "Pratt's Conditioner," at Galveston, Tex., alleging that the article had been shipped by the Pratt Food Co., Philadelphia, Pa., on or about August 3, 1920, and transported from the State of Pennsylvania into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Pratts Conditioner \* \* \* prevents \* \* \* Epi-zooty \* \* \* Contagious Diseases, Restores the Wind. \* \* \* makes Cows give richer milk \* \* \* It positively prevents slinking of Calves, Coughs, Colds and common ailments. Hog Cholera Pratts Conditioner prevents Hog Cholera and cures it if promptly used. Because of its tonic and regulative properties, Young Pigs will grow \* \* \* free from disease."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of ground plant material, salt, charcoal, sulphur, and a small amount of an iron compound.

Misbranding of the article was alleged in substance in the libel for the reason that the statements appearing in the above-quoted label, regarding the curative or therapeutic effect of said article, were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 7, 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.

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

**9547. Misbranding of Metzger's catarrh remedy and Spede Oil. U. S. \* \* \* v. George Franklin Metzger (Metzger Medicine Mfg. Co.). Plea of nolo contendere. Fine, \$10.** (F. & D. No. 14522. I. S. Nos. 24765-r, 24458-r.)

On June 13, 1921, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George Franklin Metzger, trading as the Metzger Medicine Mfg. Co., Bethlehem, Pa., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about March 16, 1920, and April 25, 1919, from the State of Pennsylvania into the State of Ohio, of quantities of Metzger's catarrh remedy and Spede Oil which were misbranded.

Analysis of a sample of the catarrh remedy by the Bureau of Chemistry of this department showed that it consisted essentially of iodid, a mercuric compound, gentian, alcohol (43.69 per cent by volume), and water. Analysis of a sample of the Spede Oil by the said bureau showed that it consisted essentially of gasoline, oil of eucalyptus, methyl salicylate, menthol, camphor, and ether.

Misbranding of the catarrh remedy 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 bottles and contained in the booklets inclosed in the cartons containing the article, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for catarrh, catarrh of the nasal cavity, chronic or ulcerative, catarrh