

of the ingredients * * * is recognized * * * as a nutrient of inestimable influence during phthisis. * * * it does more good than all other remedies of the Pharmacopoeia * * * combined. * * * Lung Germine has been proven beyond question to possess a remarkable beneficial influence; it has produced splendid results * * * relieving defective nutrition, with its consequent pallor, anemia, night sweats, excessive coughing and expectoration of germ-laden mucous from the affected parts * * * the coughing will become less and less and a general improvement may be confidently expected. * * * the long record of extraordinary instances of relief which Lung Germine has produced should encourage every sufferer from incipient membranous lung diseases * * * no such sufferer should feel in the least discouraged about his or her condition, if Lung Germine has yet to be tried. * * * If you are suffering from lung * * * trouble that has not passed the incipient stage * * * you are using the best medicine known for such afflictions when you use Lung Germine. * * * consumption * * * What To Do For Hemorrhage * * * bleeding from the lung * * * What To Do For Persistent Night Sweats Night sweats are a commonly recognized symptom of tuberculosis * * * Consumption * * * tuberculosis * * * tubercle bacilli * * * germs of tuberculosis * * *," (other languages) "Lung Germine for chronic lung * * * affections * * * Lung Germine for chronic lung or bronchial diseases * * *," were false and fraudulent, since the said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed for it upon the said bottle label and carton and in the accompanying booklet or circular.

On September 22, 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.

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

9959. Adulteration and misbranding of olive oil. U. S. * * * v. 5 Cases, 20 Dozen Quart Cans, * * * of Aroma Brand Cream Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15383. I. S. No. 8085-t. S. No. E-3578.)

On September 7, 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 a libel for the seizure and condemnation of 5 cases, containing 20 dozen quart cans, of olive oil, remaining in the original unbroken packages at Norristown, Pa., consigned by the Virgona Co., New York, N. Y., alleging that the article had been shipped from New York, N. Y., on or about June 3, 1921, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, peanut oil, mixed in a manner whereby damage or inferiority was concealed, had been substituted wholly or in part for the article and had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality or strength.

Misbranding was alleged in substance for the reason that the labels of the packages containing the article bore the following statements regarding the said article and the ingredients and substances contained therein, to wit, "Aroma Brand Olio D'Oliwa Extra Fino * * * First Pressing Cream Olive Oil * * * One Quart Full Measure Guaranteed * * * Extra Fine Olive Oil * * *," which were false and misleading in that the said packages did not contain the product alleged in said statements. Misbranding was alleged

for the further reason that the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On September 27, 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.*

9960. Adulteration of rye. U. S. * * * v. One Car-Load of Rye. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 458-c.)

On December 14, 1918, the United States attorney for the Eastern District of Virginia, acting upon a report by the Dairy and Food Commissioner of Virginia, filed in the District Court of the United States for said district a libel for the seizure and condemnation of one car-load of rye, at Richmond, Va., alleging that the article had been shipped by the Stuart Grain Co., Schoolcraft, Mich., on or about October 15, 1918, and transported from the State of Michigan into the State of Virginia, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of filthy, decomposed, and putrid vegetable matter.

On January 4, 1919, Ernest L. Wellman, claimant, having agreed to brand and label correctly the said product, 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 good and sufficient bond, in conformity with section 10 of the act.

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

9961. Misbranding of Federal stock conditioner. U. S. * * * v. 103 Bags of Federal Stock Conditioner. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 586-c.)

On December 18, 1920, the United States attorney for the Western District of New York, acting upon a report by an official of the Department of Agriculture of New York, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 103 bags of Federal stock conditioner, remaining unsold in the original unbroken packages at North Tonawanda, N. Y., consigned by the Federal Stock Food Co., Mifflinburg, Pa., alleging that the article had been shipped from Mifflinburg, Pa., on or about October 22, 1920, and transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bags) "Federal Stock Conditioner * * *"; (circular) "* * * This Conditioner is only good for Horses, Hogs, Sheep, Cows, Goats, and Calves, and contains the following ingredients:—Charcoal, Epsom Salts, Copperas, Cocoa Bean Shell Meal, Buckwheat Hulls, Ground Oyster Shells for lime, * * * Salt one per cent * * * Take Notice—This is no food, it is a conditioner * * * It is medicated and a laxative; is supposed to purify the blood and tone up the system. Directions For Feeding Federal Stock Conditioner. A Tablespoonful Is a Feed Measure Horses Cows Steers Hogs:—Three feed measurers for each animal three times a day * * * For Hog Cholera:—Four tablespoonfuls three times a day with a little salt added. * * * Sheep And Goats * * * With the above directions add salt according to amount of salt you would feed to your stock. * * *

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing on the bag and in the accompanying