

9984. Misbranding of Oculum Oil. U. S. * * * v. 12 Dozen Bottles of Oculum Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12574. I. S. No. 18651-r. S. No. E-2060.)

On April 30, 1920, the United States attorney for the Eastern District of North Carolina, 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 12 dozen bottles of Oculum Oil, at Lumberton, N. C., alleging that the article had been shipped by the Hancock Inoculum Co. (Inc.), a corporation, Salem, Va., on or about March 20, 1920, and transported from the State of Virginia into the State of North Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Oculum Oil * * * Remedy And Preventive For Hog Cholera * * *"; (circular) "Oculum Oil * * * Will Knock The Cholera * * * If a hog has the Cholera, feed 15 drops * * * and inoculate the hog by injecting 'Oculum Oil' * * *"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of oil of turpentine with a small amount of oil of amber and an orange coloring.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing in the labeling were false and fraudulent, and the said statements were made for the purpose of deception and in reckless disregard of their truth or falsity so as to represent falsely to purchasers thereof that the article was fit for the purposes for which it was recommended, when, in truth and in fact, it contained no ingredient or combination of ingredients capable of producing the effect claimed.

On April 29, 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.*

9985. Misbranding of Dr. Hobbs' nerve pills. U. S. * * * v. One Gross * * * Dr. Hobbs' Nerve Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13619. I. S. No. 10027-t. S. No. W-653.)

On September 8, 1920, 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 one gross packages of drugs labeled in part, "Dr. Hobbs' Nerve Pills," remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Hobbs Spanish American Medicine Co., Chicago, Ill., on or about November 6, 1919, and transported from the State of Illinois 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 pills consisted essentially of powdered iron, quinine, licorice, starch, and traces of arsenic and strychnine, coated with a mixture of sugar and calcium carbonate.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing in the labels of the boxes containing the said article and in the accompanying wrapper and booklet, to wit, (box) "* * * Blood purifier * * *," (wrapper) "* * * Blood purifier * * * A remedy for neuralgia, nervous headache, * * * palpitation of the heart, trembling, hysteria, nervous ailments of all kinds, * * * backache, female disorders, * * * food for fagged brains," (booklet) "* * * Old-young

and young-old men Require the tonic pills for the nerves. * * * a brain food, imparts vigor to the muscles * * * strengthens the weakened parts. Many suffer secretly as the result of past mistakes * * * realize that with the approach of old age, payment must be made for * * * follies of youth, * * * their capacity has become depleted. To such, Dr. Hobbs' Nerve Tonic Pills are recommended. * * * They cure nervous headache, rheumatism, neuralgia, pimples, eruptions and all other blood disorders. * * * They restore the vital powers, check early decay and rejuvenate those suffering from premature old age. * * * eliminate diseases from the system * * *," were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in the said statements.

On August 17, 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 disposed of according to law. The product was destroyed by the United States marshal.

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

9986. Misbranding of M. I. S. T. No. 2 nerve tonic. U. S. * * * v. 12 Dozen Packages, 20 Packages, and 68 Packages * * * of * * * M. I. S. T. No. 2 Nerve Tonic. Decrees of condemnation and forfeiture. 12 dozen packages and 20 packages destroyed. 68 packages released under bond. (F. & D. Nos. 13813, 13815, 13839. I. S. Nos. 10380-t, 10381-t, 10387-t, 10388-t. S. Nos. W-781, W-782, W-786.)

On October 25, October 28, and November 4, 1920, respectively, the United States attorney for the Southern District of California, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 12 dozen packages, 20 packages, and 68 packages of M. I. S. T. No. 2 nerve tonic, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped in part by the Williams Mfg. Co., Cleveland, Ohio, on or about May 28 and July 7, 1920, respectively, and in part by the M. I. S. T. Co., Toledo, Ohio, on or about October 11 and 15, 1920, respectively, and transported from the State of Ohio 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, calomel, a laxative plant drug, and a small amount of methyl salicylate in gelatin capsules.

Misbranding of the article was alleged in substance in the libels for the reason that the following statements appearing in the labeling of the said article, to wit, (package and wrapper) "M. I. S. T. * * * Nerve * * *," (circular) "For Blood Diseases * * * for Syphilis or Venereal Diseases, Dropsy, Gout, Rheumatism, Tumors, Ulcers, Scrofula, Swellings, Ulcerated Sore Throat, Erysipelas, Cancer or Cancerous Tumors and Inflammation of the Bladder, Stricture and Varicocele * * * for Nervous Diseases * * * M. I. S. T. No. 2 * * * an aid in the treatment of Nervous Diseases * * *," were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in the said statements.

On August 17 and 26, 1921, respectively, no claimant having appeared for the 12 dozen packages and the 20 packages of the product, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be disposed of according to law, and it was destroyed by the United States marshal. On August 17, 1921, the M. I. S. T. Co., of Toledo, Ohio,