

On December 7, 1920, pleas of nolo contendere to the informations were entered on behalf of the defendant company, and the court imposed fines in the aggregate of \$40, together with the costs.

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

10121. Misbranding of Leonard ear oil. U. S. * * * v. 12 Dozen Cartons and 30 Cartons * * * of Leonard Ear Oil. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 11283, 11319. I. S. Nos. 2782-r, 2784-r. S. Nos. W-494, W-504.)

On September 23 and 25, 1919, respectively, the United States attorney for the District of Oregon, 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 cartons and 30 cartons of Leonard ear oil, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by A. O. Leonard, New York, N. Y., August 21 and 27, 1919, respectively, and transported from the State of New York into the State of Oregon, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) " * * * A Glandular * * * Oil Recommended For Relief Of Deafness, Head Noises, Discharging, Itching, Scaly Ears and Ear Ache. * * * Deafness, Head Noises and Ear Troubles"; (bottle) "Leonard Ear Oil Recommended for Relief of Deafness, Head Noises, Dry, Itching, Aching and Discharging Ears"; (circular) " * * * For Relief of Catarrhal Deafness and Head Noises And Other Kinds of Deafness and Ear Troubles * * * To relieve deafness you must be very persistent and faithful in the use of the Ear Oil. Leonard Ear Oil is not of the 'Shot Gun' variety. I do not claim that it will accomplish the desired results with one or two applications or that even one bottle will be sufficient. Deafness is one of the most stubborn afflictions to overcome. Leonard Ear Oil is an article of sterling merit, and if persistently used it will seldom fail to give relief. Keep up the use of the Oil if you expect relief"; (circular containing testimonials) "Leonard Ear Oil Proof Of Success A Glandular * * * Oil for Relief of Deafness, Head Noises, and for Relief of Discharging, Itching, Scaly Ears, * * * and Ear Ache * * * has relieved the Deafness and Head Noises of more people than any known remedy. Its success has been phenomenal. * * * By Rubbing It In' and massaging Leonard Ear Oil as directed and inserting it in the nostrils, the ingredients contained in the Oil are carried to the diseased Tubes and Air Passages, the object of which is to soften and loosen the mucus. When this is accomplished, the result is Improved Hearing and Relief from Head Noises. * * * Remember, Deafness Is Progressive, And Unless Something Is Done To Check It Your Affliction Is Bound To Become Worse. In the majority of cases Leonard Ear Oil will give relief. * * * I most sincerely recommend its use for anybody suffering from ear trouble * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of mineral oil, a fatty oil, eucalyptol, camphor, and ammonia.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements appearing upon the said cartons, bottle labels, and circulars, regarding the curative and therapeutic effects of the said article and the ingredients and substances contained therein, were false and fraudulent in that the article contained no ingredients or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On November 23, 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.*

10122. Adulteration and misbranding of canned kidney beans. U. S. * * * v. 14 Cases * * * of Red Kidney Beans, et al. Decrees ordering release of product under bond. (F. & D. Nos. 12158, 12159, 12160, 12161, 12162, 12221, 12222, 12237, 12263, 12507, 12165, 12166, 12167. I. S. Nos. 8560-r, 8561-r, 8562-r, 8564-r, 8566-r, 8567-r, 8568-r, 8570-r, 8571-r, 8579-r, 8580-r, 8581-r, 8582-r, 8583-r. S. Nos. C-1723, C-1725, C-1728, C-1730, C-1731, C-1734, C-1737, C-1740, C-1741, C-1812, C-1813, C-1815, C-1816, C-1825.)

On or about February 20, 21, 25, 26, 27, and 28, and March 4, 5, 6, and 16, 1920, respectively, the United States attorney for the Southern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure