

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of compressed herbs, including senna, coriander, dog grass, licorice root, ginger, sambucus, cinnamon, and dandelion root.

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

On December 15, 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.*

**10216. Adulteration and misbranding of tomato catsup. U. S. \* \* \* v. 96 Cases of Tomato Catsup, et al. Consent decrees of condemnation and forfeiture. Product released under bond for salvaging.** (F. & D. Nos. 14215, 14429, 14430, 14463, 14464. I. S. Nos. 9246-t, 9247-t, 9260-t, 9261-t, 9262-t, 9263-t. S. Nos. E-3056, E-3117, E-3129.)

On February 1 and 21, 1921, respectively, the United States attorney for the Southern District of Georgia, 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 809 cases of tomato catsup, remaining unsold in the original packages at Macon, Ga., alleging that the article had been shipped by the J. T. Polk Co., Mound City, Ill., on or about October 8, 1920, and transported from the State of Illinois into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. A portion of the article was labeled in part, "Polk's Best Catsup J. T. Polk Company General Sales Offices—Chicago, U. S. A." The remainder of the article was labeled in part, "Serv-us Brand Tomato Catsup \* \* \*"

Adulteration of the article was alleged in the libels for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding was alleged in substance for the reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 5, 1921, the J. T. Polk Co., Mound City, Ill., having consented to decrees, and the Nichols Canning Co., Chillicothe, Ohio, having entered an appearance as claimant for the property as successors to the J. T. Polk Co., judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said Nichols Canning Co., upon payment by them of the costs of the proceedings and the execution of bonds in the aggregate sum of \$1,600, in conformity with section 10 of the act, conditioned in part that the good portion thereof be segregated from the bad, under the supervision of this department, the bad portion to be destroyed and the good portion to be released, and that the said claimant be permitted to salvage the bottles, screw caps, boxes, and fillers.

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

**10217. Misbranding of Haskin's Nervine. U. S. \* \* \* v. 65 Cases of Haskin's Nervine. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 14491. Inv. No. 29407. S. No. E-3134.)

On February 25, 1921, the United States attorney for the Western 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 65 cases of Haskin's Nervine, at Charleroi, Monongahela, and Belle Vernon, Pa., respectively, alleging that the article had been shipped by the Haskin Medicine Co., Binghamton, N. Y., on or about December 28 and 29, 1920, and January 3 and 24 and February 3 and 10, 1921, respectively, and transported from the State of New York into the State of Pennsylvania, 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 of a sweetened, flavored, and colored solution of Epsom salt.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing in the labeling of the said article, to wit, (bottle) "\* \* \* Nervine The Great Nerve Tonic and Blood Purifier. \* \* \* For Liver Complaint, Female Weakness, Nervous Affections, Rheumatism, Kidney Trouble, Dyspepsia, Indigestion, \* \* \* Biliousness and

Catarrh \* \* \* Nervous Diseases, Pains in the Heart and Shoulders, \* \* \* Indigestion, Headache, Heartburn, Loss of Appetite, Dizziness, Numbness, Nausea, Fluttering of the Heart, Faintness, Rheumatism and Kidney Trouble. \* \* \* Nervous Prostration and Female Complaints \* \* \* It strengthens the Nerves, Purifies the Blood, Tones up the System, makes New, Rich Blood, Clear Skin, and Ensures Perfect Health \* \* \*," together with the additional statements appearing in the labeling of a portion of the said article, to wit, (carton) " \* \* \* Nervine. The Great Tonic, Nervine and Blood Purifier. \* \* \* It Strengthens the Nerves, Purifies the Blood, Tones Up the System, Makes New, Rich Blood, Clear Skin, \* \* \* The Great Nerve And Blood Tonic. \* \* \* It acts upon the glandular system, increasing the functional activity of the body, it at once makes known its wonderful power of renovating and enriching the blood, and invigorates the whole system. As a remedy for diseases of the Stomach, Liver and Kidneys, Dyspepsia, Indigestion, Loss of Appetite, Sick Headache, Dizziness, Female Weakness, Nervous Prostration, Emaciation, General Debility, Rheumatism, Heart Trouble, Eruptions of the Skin, Pimples, Boils, Tumors, Scrofulous Affections, Cancerous Humors, Salt Rheum, Catarrh, Ringworm, Carbuncles, Ulcers and Sores, Syphilitic Affections, Malarial Poison, Pain in the Bones, or in fact any disease originating from an impure state or low condition of the blood and nerves, \* \* \* While eradicating and dispelling the germs of disease, it at the same time builds up and invigorates, giving new life and energy to the whole system \* \* \*," regarding the curative and therapeutic effects of the said article, were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 21, 1922, 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.*

**10218. Adulteration and misbranding of tomato sauce and concentrated tomato. U. S. \* \* \* v. 10 Cases of Tomato Sauce and 5 Cases of Concentrated Tomato. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14570. I. S. Nos. 5844-t, 4845-t. S. No. E-3153.)**

On March 1, 1921, the United States attorney for the Western 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 10 cases of tomato sauce and 5 cases of concentrated tomato, at Pittsburgh, Pa., alleging that the articles had been shipped by Thomas Page, Rochester, N. Y., on or about February 1, 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. The articles were labeled in part, respectively: "Tripoli Brand Tomato Sauce Fabbrica Di Salse Alimentari Napoli Style \* \* \* Packed By Thomas Page Albion, N. Y. \* \* \*"; and "Mt. Etna Brand Concentrated Tomato \* \* \* Packed By Thomas Page Albion, N. Y. \* \* \*."

Adulteration of the articles was alleged in the libel for the reason that they consisted in whole or in part of filthy, decomposed, or putrid vegetable substances.

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

On January 21, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

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

**10219. Misbranding of Kuhn's rheumatic remedy. U. S. \* \* \* v. 2 Dozen Bottles and 3 Dozen Bottles of Kuhn's Rheumatic Remedy. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14607, 14608. Inv. Nos. 30129, 30132. S. Nos. C-2854, C-2855.)**

On March 10, 1921, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 5 dozen bottles of Kuhn's rheumatic remedy, remaining in the original unbroken packages at Minneapolis and St. Paul, Minn., respectively, alleging that the article had been shipped by the Kuhn Remedy Co., Chicago, Ill., on or about January 8 and February 1, 1921, respectively, and transported from the