

for the further 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 January 25, 1922, the defendant having waived a jury trial and the case having come on before the court for hearing, after the submission of evidence and arguments by counsel the defendant was adjudged guilty and a fine of \$25 imposed.

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

10392. Misbranding of Pierce's Empress Brand tansy, cotton root, pennyroyal, and apiol tablets. U. S. * * * v. 12 Dozen Boxes of * * * Pierce's Empress Brand Tansy * * * Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13347. I. S. Nos. 10014-t, 10015-t. S. No. W-670.)

On September 1, 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 12 dozen boxes of Pierce's Empress Brand tansy, cotton root, pennyroyal and apiol tablets, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by Robert J. Cotter, New York, N. Y., on or about March 25, 1920, and transported from the State of New York 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 tablets contained iron sulphate, aloes, and pennyroyal oil.

Misbranding of the article was alleged in substance in the libel for the reason that the bottles or packages containing the said article and the accompanying circulars were each labeled in part as follows, (package) "* * * Tansy, Cotton Root, Pennyroyal and Apiol Tablets A Safe Emmenagogue. Always Reliable And Effective. The Best Known Remedy For The Suppression Of The Menstrual Function," (circular) "* * * Tansy, Cotton Root, Pennyroyal and Apiol Tablets * * * The Combined [Celebrated] Female Regulator * * * Delayed Menstruations When the suppression is of long standing * * * take one * * * until four days before the time when the menses should appear. * * * immediately preceding the expected appearance of the menstrual flow, active treatment should begin. Take one * * * three times daily, * * * follow * * * instructions * * * until the desired result is obtained. * * * Irregularities Where the menses are not regular, * * * are invaluable. Take * * * before the expected appearance of the menstrual flow [period] * * *," which statements were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On April 6, 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.*

10393. Adulteration of coal-tar color. U. S. * * * v. One 1-Pound Can and 3 1-Pound Cans of Coal-Tar Color. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14819. I. S. No. 2567-t. S. No. C-2987.)

On April 19, 1921, the United States attorney for the Eastern District of Louisiana, 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 1-pound can and 3 1-pound cans of coal-tar color, remaining unsold in the original unbroken packages at Houma, La., alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., on or about February 25 and March 15, 1921, respectively, and transported from the State of Missouri into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, respectively: "No. 90, Lb. 1 Net W. B. Wood Mfg. Co., St. Louis, Mo. Yellow" and "1 Lb. Net W. B. Wood Mfg. Co. * * * Complies with all requirements. Warranted Quality Color Number 710 Contents Yellow" or "Contents Red."

Adulteration of the article was alleged in the libel for the reason that sodium chlorid and sodium sulphate had been mixed and packed with and substituted wholly or in part for the said article, and for the further reason that it con-

tained an added poisonous or deleterious ingredient, to wit, arsenic, which might render it injurious to health.

On December 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.*

10394. Misbranding of Bristol's sarsaparilla compound and Kemp's Anacahuita pectoral compound. U. S. * * * v. 18½ Dozen Bottles of Bristol's Sarsaparilla Compound and 11 Dozen Bottles and 2½ Dozen Bottles of Kemp's Anacahuita Pectoral Compound. Consent decrees of condemnation and forfeiture. Products released under bond. (F. & D. Nos. 14965, 14966, 14967, 14979. I. S. Nos. 10495-t, 10496-t, 10497-t, 10498-t. S. Nos. W-961, W-962, W-964, W-966.)

On June 2 and 4, 1921, respectively, the United States attorney for the Northern 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 18½ dozen bottles of Bristol's sarsaparilla compound and 13½ dozen bottles of Kemp's Anacahuita pectoral compound, remaining in the original unbroken packages at San Francisco, Calif., alleging that the articles had been shipped by Lanman & Kemp, New York, N. Y., between the dates May 17, 1919, and July 18, 1920, and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part, respectively: (Bristol's sarsaparilla compound) (wrapper) " * * * For Impure Conditions Of The Blood, Supposed To Be Induced By Syphilitic Taint * * * And Marked By Rheumatic Or Neuralgic Manifestations, Skin Eruptions, Nervous and General Debility of the System, Loss of Appetite, Languor, Dizziness, and Inactive Liver, which often precede Bilious And Other Fevers And Jaundice. * * * "; (bottle in English and Spanish) " * * * Ulcers or Running Sores, * * * Soreness of the Throat, * * * "; (Kemp's Anacahuita pectoral compound) (bottle label in English and wrapper in English, Spanish, and French) " * * * highly esteemed for its efficacy in Coughs, Throat and Bronchial Affections. * * * "; (circular accompanying a portion) (Spanish) "Pectoral de Anacahuita * * * for affections of the chest * * * phthisis * * * It may be stated with all confidence that with the use of this valuable remedy very satisfactory results have been obtained in cases of persons seriously threatened * * * Pulmonary consumption, tuberculous phthisis * * * catarrh * * * epidemical catarrh or influenza * * * bronchitis * * * For the chronic bronchitis of old persons * * * when accompanied by coughs, and habitual irritation, copious expectoration, loss of strength, purulent sputum, coughs more violent by night and hectic and nocturnal sweats the Pectoral de Anacahuita is invaluable. Whooping cough or convulsive cough * * * asthma * * * pleurisy, membranous croup or croup. This disease which is distinguished by inflammation of the upper part of the throat with deposit of a false membrane which completely obstructs the passage so that the patient is suffocated may be prevented when the first symptoms appear by administering an emetic and taking freely a remedy like Pectoral de Anacahuita. For hectic fever which is usually accompanied by bronchial and pulmonary affections * * * Difficult respiration. All pulmonary diseases or those that affect the lungs are influenced by this remedy. It nips this disease in the bud * * * "; (circular accompanying the remainder) (English) " * * * Kemp's Anacahuita Pectoral Compound is * * * for the relief of affections of the chest. While we may not go so far as to say that Kemp's Anacahuita Pectoral Compound is a specific for Consumption, and that it will arrest the tubercular deposit after the disease has made serious ravages on the system, we nevertheless assert in good faith that with the use of this excellent preparation, good results may be obtained. We can recommend it highly to all who may be threatened by the disease, to arrest its progress and restore health. A preparation of this nature cannot but be regarded as a benefit, * * * Pulmonary Consumption. Phthisis Tuberculosis. * * * Spitting of Blood (hemorrhage) * * * cough * * * a great wasting of flesh. * * * hectic fever * * * copious sweats, diarrhoea, a great wasting of flesh and a wearing cough; * * * scrofulous symptoms. * * * from the very moment that the cough first appears, Kemp's Anacahuita Pectoral should be taken * * * Catarrh * * * Epidemic Catarrh or Influenza * * * Anacahuita Pectoral should be used * * * Bronchitis * * * expulsion of