

and condemnation of 476 boxes of Robert J. Pierce's tansy, cotton root, pennyroyal, and apiol tablets, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped from New York, N. Y., in part by Samuel G. McComer & Co., March 16, 1920, and in part by Robert J. Pierce, February 7 and March 16, 1920, respectively, 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, aloin, and pennyroyal oil.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing in the label of the box containing the said article and in the accompanying circular, (box) " * * * 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 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 tablet 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]," 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 May 9, 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.*

10637. Misbranding of Palmo tablets. U. S. * * * v. 84 Boxes of * * * Palmo Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 13666, 13667. I. S. Nos. 10374-t, 10375-t. S. Nos. W-764, W-765.)

On September 8, 1920, the United States attorney for the Northern 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 84 boxes of Palmo tablets, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped in part by the McCullough Drug Co., Lawrenceburg, Ind., on or about May 29, 1920, and in part by the Williams Mfg. Co., Cleveland, Ohio, June 18, 1920, and transported from the States of Indiana and Ohio, respectively, 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 extracts of plant drugs, including nux vomica and damiana, iron phosphate, and a trace of phosphorus, coated with sugar.

Misbranding of the article was alleged in substance in the libel for the reason that it was labeled on the box containing the said article and in the accompanying circular as follows, (box) " * * * a * * * remedy for many Nervous Disorders * * * irritability, weakness, depression, etc. * * * for men or women who are run-down generally and who lack energy or ambition," (circular) " * * * No one can attain * * * success * * * without an abundance of vitality or nerve force * * * excesses of the usual kind * * * may bring about this condition. * * * we have * * * reliable treatment for just such cases. * * * Palmo Tablets re-animate and re-vitalize. They are * * * for Nervous Exhaustion or Debility, Depression or Despondency, Irritability, Fretfulness, Fidgets, Lack of Tone * * *," 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 May 9, 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.*