

10640. Adulteration of bran and misbranding of oat feed. U. S. * * * v. 400 Sacks of Bran and 600 Sacks of Oat Feed. Default decree of condemnation, forfeiture, and destruction with respect to 20 sacks of bran; remaining 380 sacks released, by consent, to claimant, as salvaged portion. Consent decree of condemnation and forfeiture with respect to 600 sacks of oat feed. Product released under bond. (F. & D. Nos. 648-c, 649-c. I. S. Nos. 4947-t, 4948-t.)

On September 8, 1921, the United States attorney for the Eastern District of Wisconsin, acting upon reports by officials of the Department of Agriculture of the State of Wisconsin, filed in the District Court of the United States for said district libels for the seizure and condemnation of 400 sacks of bran and 600 sacks of oat feed, remaining unsold in the original unbroken packages at New Holstein and Milwaukee, Wis., respectively, alleging that the former had been shipped by the Hormel Milling Co., Austin, Minn., on or about August 20, 1921, and that the latter had been shipped by the National Oats Co., Cedar Rapids, Iowa, on or about August 23, 1921, and that the said articles had been transported from the States of Minnesota and Iowa, respectively, into the State of Wisconsin, and charging that the said bran was adulterated and the said oat feed was misbranded in violation of the Food and Drugs Act, as amended. The bran was labeled in part, "Red Seal Pure Wheat Bran * * *."

Adulteration of the bran was alleged in substance in the libel for the reason that it consisted in part of a filthy, decomposed, or putrid vegetable substance, which had been mixed and packed with the said bran so as to reduce and lower and injuriously affect its quality.

Misbranding of the oat feed was alleged in substance for the reason that the quantity of the contents of the sacks containing the article was not plainly and conspicuously marked on the outside of the said sacks in terms of weight, measure, or numerical count.

On October 18, 1921, no claimant having appeared for 20 sacks of the said bran, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the said portion be destroyed by the United States marshal. On the same date, by agreement, a decree of the court was entered ordering the release of the remaining 380 sacks of the said bran to the claimant, the Hormel Milling Co., Austin, Minn., as a salvaged portion of the said product. On September 12, 1921, E. P. Mueller, Chicago, Ill., claimant, having admitted all material allegations of the libel with respect to the said oat feed and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the said oat feed be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

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

10641. Misbranding of Madame Dean female pills. U. S. * * * v. 3 Packages of * * * Madame Dean Female Pills (Ordinary), et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13576. I. S. Nos. 6286-t, 6287-t. S. No. E-2566.)

On September 2, 1920, the United States attorney for the District of New Jersey, 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 3 packages of Madame Dean female pills (ordinary) and 3 packages of Madame Dean female pills (special), at Elizabeth, N. J., alleging that the article had been shipped by the United Medical Co., Lancaster, Pa., on or about the month of June, 1920, and transported from the State of Pennsylvania into the State of New Jersey, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box label and wrapper) " * * * Female Pills * * * give relief in Female Disorders of the menstrual functions. * * * for Painful, Irregular and Scanty Menstruation"; (booklet) " * * * irregular, prolonged, or suppressed menstruation. * * * Female Pills afford relief for these ailments. * * * a remedy intended solely for the relief of Amenorrhoea, Dysmenorrhoea, scanty and irregular menstruation, and other derangements of the reproductive system, * * * especially valuable in the functional changes * * * of the menopause or change of life. * * * act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation and assist in re-establishing or restoring, the menstrual or monthly periods. * * * strengthen and build up the uterine function. * * *"; (circular) " * * * a great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its

proper channel, * * * for irregular, painful, scanty or suppressed menstruations, * * * should be taken * * * to assist nature with * * * disorders * * * during the change of life period. * * * Continue with the treatment until they give relief. * * * great relief from Pains or Headache; * * * for suppressed Menstruation, * * * continue their use until relieved * * * take * * * until the menstrual flow commences again."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the special strength pills contained quinine, aloes, iron sulphate, senecio flowers and herb, ginger, and cornstarch; and that the single strength pills contained quinine, aloes, iron sulphate, hydrastis, ginger, and cornstarch.

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

On July 11, 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.*

10642. Adulteration of liquid whole eggs. U. S. * * * v. 289 Cases, Containing 578 Cans, of Liquid Whole Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13764. I. S. No. 7513-t. S. No. E-2816.)

On December 15, 1920, the United States attorney for the District of New Jersey, 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 289 cases, containing 578 cans, of liquid whole eggs, at Jersey City, N. J., alleging that the article had been shipped by the Parsons Poultry & Egg Co., Parsons, Kans., on or about June 22, 1920, and transported from the State of Kansas into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Can) "National Poultry and Egg Co. Atchison, Kansas, Packers. Pure Sweet Wholesome Eggs * * *."

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

On December 20, 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.*

10643. Misbranding of Grantillas. U. S. * * * v. 16½ Dozen Bottles of * * * Grantillas. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13865. I. S. No. 10479-t. S. No. W-789.)

On November 15, 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, and on November 22, 1920, an amended libel, praying the seizure and condemnation of 16½ dozen bottles of Grantillas, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Dr. Richards Dyspepsia Tablet Assoc., New York, N. Y., in part March 9, 1920, and in part June 23, 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 it consisted of tablets containing extracts of plant drugs, including cramp bark and a laxative drug.

Misbranding of the article was alleged in substance in the libel for the reason that it was labeled in part on the bottle containing the said article and in the accompanying wrapper and circular as follows, (bottle) "* * * A medicine prepared especially for diseases affecting ladies and young ladies. Grantillas contains the elements required by the genital organs of women," (wrapper) "* * * A medicine prepared especially for diseases affecting ladies and young ladies. Grantillas contain precisely the elements required