

the United States of America, and each of the cans containing the greater portion of the article did not contain one gallon, one-half gallon, one-quarter gallon, or one quart, as the case might be, of the said article, but did contain a less amount. Misbranding was alleged for the further reason that the statements, designs, and devices borne on the cans or on the barrel containing the article purported the said article to be a foreign product when not so. Misbranding was alleged 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 packages.

On October 16, 1922, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

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

11105. Misbranding of Mydyl antiseptic wafers. U. S. v. 42 Packages of Mydyl Antiseptic Wafers. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16338. S. No. C-3646.)

On May 23, 1922, the United States attorney for the Southern District of Illinois, 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 42 packages of Mydyl antiseptic wafers, remaining in the original unbroken packages at Peoria, Ill., alleging that the article had been shipped by Charles S. Ruckstuhl, from St. Louis, Mo., January 1, 1922, and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box and circular) "* * * of great value in the treatment of Vaginitis, Urethritis, Menorrhagia, Endometritis, Parametritis, Cervicitis and Gonorrhea * * * reduce inflammation caused by the different diseases of the generative tract * * * germicidal * * * a sure preventive of complications. Aggravated cases of Cystitis;" (box) "* * * to relieve Nervousness. * * * For aggravated cases of uterine disorder * * * overcoming the inflammation caused by an excess of alkali or acid * * * in aggravated cases of Erysipelas."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the wafers were composed of borax and starch.

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

On November 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.*

11106. Adulteration and misbranding of ginger. U. S. v. 75 Bags and 75 Bags of Ginger. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 16388, 16389. S. No. E-3879.)

On June 14, 1922, the United States attorney for the Southern District of New York, 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 150 bags of ginger, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped from Leith, Scotland, on or about January 23, 1922, and transported from a foreign country into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a valuable constituent of the said article, ginger resins, had been wholly or in part abstracted.

Misbranding was alleged for the reason that it was an imitation of another article, to wit, ginger root.

On November 16, 1922, Frame & Co., Leith, Scotland, having filed a claim and stipulation for costs but having filed no answer and being in default, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal and that said claimant pay the costs of the proceedings.

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