

10 ozs. drained clam meat," as the case might be, such labeling to be attached so as to be clear and easily observed and to obliterate the objectionable statements.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11849. Adulteration of sardines. U. S. v. 100 Cases of Champion Brand American Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 17710. I. S. No. 2801-v. S. No. E-4464.)

On August 16, 1923, the United States attorney for the Eastern 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 praying the seizure and condemnation of 100 cases of Champion brand American sardines, remaining in the original unbroken packages at Philadelphia, Pa., consigned by Flint & Co., Boston, Mass., alleging that the article had been shipped from Boston, Mass., on or about July 7, 1923, and transported from the State of Massachusetts into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Champion Brand American Sardines * * * Columbian Canning Co. Washington Co. Lubec, Maine."

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

On September 14, 1923, 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.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11850. Misbranding of 999 nerve tonic. U. S. v. 33 Packages of 999 Nerve Tonic. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15412. S. No. C-3260.)

On October 5, 1921, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 33 packages of 999 nerve tonic at Detroit, Mich., alleging that the article had been shipped by the Combination Remedy Co., from Pittsburgh, Pa., August 26, 1921, and transported from the State of Pennsylvania into the State of Michigan, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) "Nerve Tonic * * * The best possible remedy for nervous disorder and lost vitality, no matter from what cause."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of capsules containing phosphorus and extracts of nux vomica and damiana.

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

On August 17, 1923, 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.

HOWARD M. GORE, *Acting Secretary of Agriculture.*