

On March 17, 1924, 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. F. MARVIN, *Acting Secretary of Agriculture.*

**12124. Adulteration and misbranding of butter. U. S. v. 200 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reprocessed.** (F. & D. No. 18394. I. S. No. 13130-v. S. No. E-4741.)

On February 18, 1924, 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 praying the seizure and condemnation of 200 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Sunlight Creameries, from Washington Court House, Ohio, on or about July 12, 1923, and transported from the State of Ohio 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 substance, excessive moisture, had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that a valuable constituent, butterfat, had been wholly or in part abstracted from the article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On March 14, 1924, Droste & Snyder, Inc., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$5,700, in conformity with section 10 of the act, conditioned in part that it be reprocessed under the supervision of this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**12125. Misbranding of La Derma vagiseptic discs, Bick's nerve tonic, Arthur's sextone tablets, Arthur's emmenagogue pills, Leslie's emmenagogue pills, Thomas' emmenagogue pills, Bick's sextone pills, Bick's Daisy 99, and Bick's sarsaparilla compound. U. S. v. 22 Boxes of La Derma Vagiseptic Discs, et al. Default decrees of condemnation and forfeiture. Products ordered disposed of according to law.** (F. & D. Nos. 15391, 15392. S. Nos. C-3233, C-3238.)

On September 28, 1921, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 27 boxes of La Derma vagiseptic discs, 33 boxes of Bick's nerve tonic, 10 packages of Arthur's sextone tablets, 11 packages of Arthur's emmenagogue pills, 16 packages of Leslie's emmenagogue pills, 5 packages of Thomas' emmenagogue pills, 11 packages of Bick's sextone pills, 2 bottles of Bick's Daisy 99, and 2 bottles of Bick's sarsaparilla compound, at Cooper, Tex., alleging that the articles had been shipped by the Palestine Drug Co., St. Louis, Mo., in various consignments, namely, on or about September 23, 1918, October 14 and 21, 1919, and November 13, 1920, respectively, and transported from the State of Missouri into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the La Derma vagiseptic discs contained salt, alum, starch, milk, sugar, and talc; that Bick's nerve tonic consisted of two products—brown tablets containing phosphorus and compounds of zinc and iron, coated with sugar and calcium carbonate, and yellow pellets containing compounds of iron, strychnine, and phosphorus, coated with sugar and calcium carbonate; that Arthur's sextone tablets contained iron oxide, calcium carbonate, a compound of zinc, and extract of plant drugs, coated with sugar; that Arthur's emmenagogue pills, Leslie's emmenagogue pills, and Thomas' emmenagogue pills contained iron sulphate, aloes, and extract of plant drugs, coated with sugar and calcium carbonate, colored pink; that Bick's sextone pills consisted of two products—chocolate-colored pills containing a small amount of extract of plant drugs, 50 per cent of sugar, 25 per cent of calcium carbonate, 7 per cent of iron oxide, and 7 per cent of powdered talc, and

orange-colored tablets containing 31 per cent of metallic iron, 11 per cent of calcium carbonate, extract of nux vomica, and sugar; that Bick's Daisy 99 consisted essentially of extracts of plant drugs, including cascara sagrada and buchu, sodium acetate, alcohol, and water; and that Bick's sarsaparilla compound contained less than 1 per cent of sodium salicylate, 0.7 per cent of potassium iodide, extracts of plant drugs, including sarsaparilla and a laxative drug, sugar, alcohol, and water.

Misbranding of the articles was alleged in the libels for the reason that the following statements regarding the curative and therapeutic effects of the said articles were false and fraudulent, since the articles contained no ingredients or combinations of ingredients capable of producing the effects claimed: (La Derma vagiseptic discs) (wrapper) "for \* \* \* Amenorrhoea and other Uterine and Vaginal Disorders," (circular) "For \* \* \* Amenorrhoea \* \* \* Ulceration of the Uterus and Catarrh of the Uterus \* \* \* Gonorrhoea;" (Bick's nerve tonic) (wrapper) "Nerve Tonic \* \* \* for Nervous Prostration and bodily aches and pains \* \* \* a nerve \* \* \* tonic \* \* \* for all female complaints. \* \* \* for Weakness, Nervousness, Headache, Kidney Trouble, and loss of Power in either Sex. \* \* \* for female weakness heart trouble and where a general breakdown of the nervous system exists;" (Arthur's sextone tablets) (wrapper) "Designed to Correct \* \* \* the Evil Results Following Sexual or Alcoholic Excesses, Overwork, Worry, Etc. \* \* \* Sextone Tablets For Either Sex Composed of \* \* \* the Most Potent and Dependable Aphrodisiac Agencies," (circular) "Sextone Tablets \* \* \* cases of exhaustion of nervous energy \* \* \* stimulate \* \* \* the Sexual Plexes \* \* \* nourish the nervous system and build it up;" (Arthur's emmenagogue pills, Leslie's emmenagogue pills, and Thomas' emmenagogue pills) (box) "Emmenagogue Pills recommended for Ammenorrhoea, Dysmenorrhoea and other Menstrual Troubles. \* \* \* beginning treatment \* \* \* before the regular monthly period. \* \* \* continue \* \* \* until relief is obtained;" (Bick's sextone pills) (box) "Sextone Pills \* \* \* Composed of \* \* \* Aphrodisiac Agencies;" (Bick's Daisy 99) (bottle) "For Gonorrhoea, Gleet, Leucorrhoea and other Irritations or Infections of the Urinary tract For Male Or Female," (wrapper) "For Gonorrhoea Gleet Leucorrhoea etc. For Male and Female;" (Bick's sarsaparilla compound) (bottle) "to be taken regularly as long as impurity exists in the blood. \* \* \* one of the best remedies in existence for purposes claimed. Remember that constitutional diseases or diseases of long standing cannot be cured in a week or so by any remedy," (wrapper) "for the Treatment of all Diseases due to Impure Blood such as Chronic Rheumatism, Secondary Syphilis, Scrofula, Pimples, Boils, Etc. \* \* \* is especially and specifically designed to give the greatest possible benefit in the treatment of diseases due to impure and impoverished blood."

Misbranding was alleged with respect to the Bick's sarsaparilla compound for the further reason that the statement on the bottle, "Alcohol by volume 6%" [Contains 6% Alcohol], and on the wrapper, "Alcohol by volume 10%" [Alcohol 10 Per Cent], were false and misleading, since the article did not contain alcohol in either amount. Misbranding was alleged for the further reason that the package failed to bear a statement on the label of the quantity or proportion of alcohol contained therein, since the statement made was not correct.

On November 1, 1923, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be disposed of by the United States marshal according to law.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**12126. Misbranding of Conkey's cow special. U. S. v. 81 Packages, et al., of Conkey's Cow Special. Default decree of condemnation, forfeiture, and destruction.** (F. & D, Nos. 15876, 15877. I. S. Nos. 18210-t, 18211-t. S. No. C-3344.)

On March 3, 1922, the United States attorney for the Northern District of Texas, 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 81 packages, 60-cent size, and 11 packages, \$1.20 size, of Conkey's cow special, remaining in the original packages at Dallas, Tex., alleging that the article had been shipped by the G. E. Conkey Co., Cleveland, Ohio, on or about August 20, 1918, and transported from the State of Ohio into the