

it was further ordered by the court that the product might be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be relabeled so that the word "Imitation" appear conspicuously on the labeling.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13269. Misbranding of DeWitt's eclectic cure and DeWitt's liver, blood and kidney remedy. U. S. v. 24 Bottles of DeWitt's Eclectic Cure and 26 Bottles of DeWitt's Liver, Blood & Kidney Remedy. Default decrees of condemnation, forfeiture, and destruction. (F. & D. No. 16543. S. No. E-4016.)

On July 14, 1922, the United States attorney for the Southern District of Georgia, 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 24 bottles of DeWitt's eclectic cure and 26 bottles of DeWitt's liver, blood & kidney remedy, at Axson, Ga., alleging that the articles had been shipped by the W. J. Parker Co., from Baltimore, Md., June 1, 1922, and transported from the State of Maryland into the State of Georgia, and charging misbranding in violation of the food and drugs act as amended. The DeWitt's eclectic cure was labeled in part: (Bottle) "Dr. DeWitts Eclectic Cure * * * For Cramps, Colic and Diarrhoea * * * Indigestion * * * Horse Colic," (carton) "Cure * * * for Indigestion, Diarrhoea, Cramps, Colic, Neuralgia, Headache, Toothache, Sore Throat, etc. * * * Cholera * * * Cholera Morbus * * * Rheumatism and pains generally * * * Sprains or Frosted Feet," (circular) "Cure * * * For Indigestion, Diarrhoea, Cramps, Cramp Colic, Neuralgia, Headache, Toothache, sore throat, etc. Spasmodic attacks * * * Swelling of the Stomach * * * Sprains * * * Horse Colic * * * Chicken Cholera." The DeWitt's liver, blood & kidney remedy was labeled in part: (Bottle and circular) "Dr. DeWitts Liver, Blood And Kidney Remedy * * * Recommended for Relief * * * Diabetes, Inflammation of the Bladder, Malaria, General Debility, Pains Under Shoulder Blades, Back and Sides, And Diseases arising from Derangement of Kidneys and Liver," (carton same as above except no reference to diabetes, but the following additional words appeared) "Blood Purifier And For Kidney And Liver Diseases."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the liver, blood, and kidney remedy consisted essentially of magnesium sulphate, extracts of plant drugs, including senna and buchu, a trace of iodid, alcohol, and water, and that the eclectic cure consisted essentially of volatile oils, including peppermint and sassafras oils, spices, including capsicum and ginger, ether, alcohol, and water.

Misbranding of the articles was alleged in the libels for the reason that the above-quoted statements, regarding the curative and therapeutic effects of the said articles, were false and fraudulent, since they contained no ingredients or combinations of ingredients capable of producing the effects claimed.

On April 10, 1925, 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 destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13270. Adulteration of fish. U. S. v. 34 Boxes of Fish. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19888. I. S. No. 23991-v. S. No. C-4677.)

On March 10, 1925, the United States attorney for the Northern 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 praying the seizure and condemnation of 34 boxes of fish, at Chicago, Ill., alleging that the article had been shipped by the Bay City Freezer, Inc., from Bay City, Mich., February 28, 1925, and transported from the State of Michigan into the State of Illinois, and charging adulteration in violation of the food and drugs act.

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

On April 10, 1925, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*