

On February 4, May 5, and August 24, 1928, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15969. Misbranding of Prescription 999. U. S. v. 10 Packages of Prescription 999. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22357. I. S. No. 11942-x. S. No. 379.)

On January 9, 1928, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 packages of Prescription 999 at Cleveland, Ohio, alleging that the article had been shipped by the Combination Remedy Co., Pittsburgh, Pa., on or about August 6, 1927, and had been transported from the State of Pennsylvania into the State of Ohio, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of the volatile oils of nutmeg, santal, and cubebs, copaiba, and a fatty oil.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Box label) "Recommended for kidney and bladder disorders. This medicine is a combination of oil sandalwood, oil cubebs, copaiba, and other valuable vegetable oils which are known to give the best results in treating the disease for which this medicine is intended * * * after all signs of the disease have disappeared."

On August 13, 1928, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15970. Adulteration and misbranding of cod liver oil. U. S. v. 10 Drums of Cod Liver Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22637. I. S. No. 19984-x. S. No. 557.)

On March 13, 1928, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 drums of cod liver oil, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Consolidated Products Co., from Cincinnati, Ohio, on or about January 5, 1928, and had been transported from the State of Ohio into the State of Missouri, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Poultry Cod Liver Oil."

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, or purity as determined by the test laid down in that authority. Adulteration was alleged for the further reason that a substance, to wit, an oil other than cod liver oil, had been substituted in whole or in part for the said article.

Misbranding was alleged for the reason that the statement, "Cod Liver Oil," borne on the label, was false and misleading, and for the further reason that it was offered for sale under the distinctive name of another article.

On June 13, 1928, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15971. Misbranding of Sorbefacin. U. S. v. 1 Dozen Packages of Sorbefacin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20884. I. S. No. 3194-x. S. No. C-4960.)

On February 19, 1926, the United States attorney for the District of Minnesota, acting upon a report from the Secretary of Agriculture, filed in the District court of the United States for said district a libel, and on February 24, 1926, an amended libel, praying seizure and condemnation of 1 dozen packages of Sorbefacin, remaining in the original unbroken packages at St. Paul,