

I inoculated them twice, they got well within one week. I then fed all the surviving 11 'Oculum' in the slop and they have never been sick a day since. In June they rooted up one of the dead hogs and had eaten it partly up, when I discovered them. I fed them more 'Oculum' and not one got sick, though I thought they would get sick and die. They now, Aug. 11, average 250 lbs. and run in the same field where 34 died. 'Oculum' cut the feed bill 15 per cent. * * * I had two old ewes terribly run down in condition; I fed them 'Oculum' and they soon got real fat. 'Oculum' made my hogs very fat. * * * I am satisfied 'Oculum' will relieve Pneumonia in hogs when taken in time. We saved three out of five by use of 'Oculum.' * * * I am pleased to report Annie Rosarie, 194379, for which I refused \$2,000, has been restored by 'Oculum' to her normal self. The treatment is a marvelous one. * * * This was as bad a case of Running Off of the Bowels as I ever saw."

On March 12, 1930, the claimant, M. G. McClung, Salem, Va., having failed to appear, 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.*

17158. Adulteration and misbranding of culture A Bacillus bulgaricus. U. S. v. 11 Packages of Culture A Bacillus Bulgaricus Metchnikoff. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24536. I. S. No. 029001. S. No. 2842.)

On February 18, 1930, the United States attorney for the District of New Jersey, 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 11 packages of culture A Bacillus bulgaricus Metchnikoff, remaining in the original unbroken packages at Paterson, N. J., alleging that the article had been shipped by the Ferment Co., New York, N. Y., on or about January 27, 1930, and transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Examination of a sample of the article by this department showed that it contained no viable lactobacilli.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold, namely: (Carton label) "Cultura A. Bac. Bulg. A. (Metchnikoff), Bac. Bulg. B. (B. Acidophilus), Bac. Paralacticus, Liq. Ananassae Sativae, Liq. Citri Decumanae;" (yellow leaflet) "Culture A Bacillus Bulgaricus, Metchnikoff containing the strain of Bacillus Bulgaricus selected, studied and recommended by Professor Elie Metchnikoff, together with a specially selected strain of B. Acidophilus for the modification of the intestinal microbic flora."

Misbranding was alleged for the reason that the above-quoted statements appearing on the carton label, and the accompanying yellow leaflet, were false and misleading. Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Yellow leaflet) "Remedial in the treatment of ailments caused by intestinal auto-intoxication * * * In mild cases of intestinal putrefaction it is advisable to begin with two or three tubes per day, * * * This may be reduced to one per day after the symptoms have disappeared. If severe symptoms are presented or if the condition is one of long standing, as many as six tubes per day should be taken."

On March 31, 1930, 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.*

17159. Adulteration and misbranding of antiseptic gargle. U. S. v. 10 Dozen Bottles of Antiseptic Gargle. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23061. I. S. No. 02086. S. No. 1063.)

On September 13, 1928, 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 seizure and condemnation of 10 dozen bottles of antiseptic gargle at Chicago, Ill., alleging that the article had been shipped by Morgenstern & Co., from New

York, N. Y., June 16, 1928, and transported from the State of New York into the State of Illinois, and charging adulteration and 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 small amounts of phenol, tannin, glycerin, and alcohol and water, flavored with oil of peppermint. Bacteriological examination showed that the article was not antiseptic in the dilutions recommended upon the label.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold, to wit, (bottle label) "Antiseptic * * * It should be used constantly in presence of infection of any kind. * * * As a daily antiseptic * * * for children or nurses exposed to infection, dilute with an equal portion of water;" (carton label) "Antiseptic * * * I use it constantly in presence of infection of any kind."

Misbranding was alleged for the reason that the following statements regarding the curative or therapeutic effects of the article, appearing on the container and on the shipping carton, (bottle label) "An * * * effective tonic for the fauces, gums and pharynx. It should be used constantly in presence of infection of any kind, and it is an invaluable prescription in the treatment of the various sore throats which are encountered. * * * Antiseptic * * * As a daily antiseptic and tonic mouth wash for children or nurses exposed to infection, dilute with an equal portion of water," (carton label) "Antiseptic * * * Results of Twenty Years' Use * * * An effective tonic for fauces, gums and pharynx. I use it constantly in presence of infection of any kind, and it is my stock prescription in the various sore throats we encounter," and (shipping carton) "Antiseptic," were false and fraudulent in that the said statements were applied to the article so as to represent falsely and fraudulently that it was effective as a remedy for the diseases, ailments, and afflictions mentioned therein.

On April 16, 1930, 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.*

17160. Adulteration and misbranding of Fritch's vegetable soap. U. S. v. 3 Gross of Fritch's Vegetable Soap. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24585. I. S. No. 030252. S. No. 2910.)

On March 3, 1930, 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 seizure and condemnation of 3 gross of Fritch's vegetable soap, remaining in the original unbroken packages at Philadelphia, Pa., consigned by J. A. Fritch, St. Louis, Mo., alleging that the article had been shipped from St. Louis, Mo., on or about January 9, 1930, and transported from the State of Missouri into the State of Pennsylvania, and charging adulteration and 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 soap made from palm nut oil perfumed with oil of citronella. Bacteriological examination showed that the article was not antiseptic.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard or quality under which it was sold, namely, (wrapper and carton) "Antiseptic," (circular) "Not alone antiseptic, it is germicidal—a true germ destroyer."

Misbranding was alleged for the reason that the following statements appearing in the labeling were false and misleading: (Carton) "Fritch's Vegetable Soap * * * This is Nature's Own Remedy;" (wrapper) "Fritch's * * * Vegetable Soap Nature's Own Product Antiseptic;" (circular) "Fritch's Famous Vegetable Soap from Nature's Laboratory to you a Natural Vegetable Product * * * Nature's Own Relief for Skin Diseases and Other Annoying Affections * * * Soap bark. It is the inner bark of the soap tree, botanically termed 'Quellaja Saponaria,' * * * I have perfected a process for extracting the soap from this bark and solidifying it. * * * I am only offering you Nature's own vegetable product in a modern, convenient form. * * * Not alone antiseptic, it is germicidal—a true germ de-