

(N. J. 32.)

**MISBRANDING OF A DRUG PRODUCT (BLACKBURN'S CASCARA,  
WILD LEMON, CASTOR OIL PILLS, COMPOUND).**

In accordance with the provisions of section 4 of the Food and Drugs Act of June 30, 1906, and of regulation 6 of the rules and regulations for its enforcement, notice is given that on the 28th day of September, 1908, in the district court of the United States for the western division of the southern district of Ohio, in a prosecution by the United States against Robert Blackburn, doing business under the name of the Victory Remedy Company, for violation of section 2 of the aforesaid act in shipping and delivering for shipment from Ohio to Michigan a misbranded drug product, that is to say, a preparation labeled and branded "Blackburn's Cascara, Wild Lemon, Castor Oil Pills, Compound," the following judgment was entered:

THE UNITED STATES	}
<i>vs.</i>	
ROBERT BLACKBURN, DOING BUSINESS AS VICTORY REMEDY COMPANY.	

This day came the district attorney on behalf of the United States, and the defendant being present in court in the custody of the marshal and having been arraigned at the bar of this court, and said information read to him, for plea said he is guilty in manner and form as charged therein and throws himself upon the mercy of the court. And the district attorney moving for sentence, the court pronounced the following sentence, to wit: That said defendant pay a fine of ten (\$10.00) dollars and the costs of this prosecution, to be taxed and to stand committed until paid; and said fine and costs are paid.

The facts in the case were as follows:

On January 7, 1908, an inspector of the Department of Agriculture purchased from the Michigan Drug Company (Williams, Davis, Brooks & Hirschman Sons), Detroit, Mich., samples of a product labeled "Blackburn's Cascara, Wild Lemon, Castor Oil Pills, Compound. Prepared only for the Victory Remedy Company, Dayton, O.," which were received by it directly from the manufacturer, the Victory Remedy Company, Dayton, Ohio. One of the samples was subjected to analysis in the Bureau of Chemistry, Department of Agriculture. The results of the analysis showed the preparation to contain calcium sulphid, capsicum, atropin (introduced, probably, in the form of belladonna extract), and at most, if any, a trace of castor oil; and that the ingredients and quantity of castor oil did not in any way justify the use of the name "castor oil," and that castor oil is not the most active ingredient of the preparation and that the cathartic, curative, or therapeutic effects of castor oil are almost wholly absent from the compound.

The Secretary of Agriculture having afforded the manufacturers an opportunity on April 7, 1908, to show any fault or error in the findings of the analyst, and they having failed to do so, the facts were reported to the Attorney-General and the case referred to the United States attorney for the southern district of Ohio, who filed an information against the said defendant with the result hereinbefore stated.

H. W. WILEY,  
F. L. DUNLAP,  
GEO. P. McCABE,

*Board of Food and Drug Inspection.*

Approved:

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *November 30, 1908.*

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(N. J. 33.)

#### MISBRANDING OF MAPLE SIRUP.

In accordance with the provisions of section 4 of the Food and Drugs Act of June 30, 1906, and of regulation 6 of the rules and regulations for the enforcement of the act, notice is given that on the 19th day of October, 1908, in the district court of the United States for the district of Colorado, in a proceeding of libel for condemnation of 296 cases and 93 5-gallon cans of a misbranded food product—that is to say, a product labeled and branded “Canada Sap Maple and Pure Sugar Cane Syrup,” and which contained sugar-cane sirup in excess of maple sirup, wherein the United States was libellant and the Scudder Syrup Company was claimant, the case having come on for a hearing, and the said claimant having failed to answer, a decree of forfeiture and condemnation was rendered in substance and form as follows:

In the district court of the United States within and for the district of Colorado.

<p>THE UNITED STATES OF AMERICA, LIBELANT, vs. FOUR HUNDRED CASES AND ONE HUNDRED FIVE-GALLON CANS OF MAPLE SYRUP.</p>	}	No. 2187.
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In this cause, it appearing to the court that the said United States of America, by Thomas Ward, jr., United States attorney, and the Scudder Syrup Company, the claimants and the owners of the property seized herein, by L. W. Bassett, esq., their attorney, consenting thereto, and under the process issued in this cause one hundred and one cases of one-gallon cans, ninety-four cases