

**6731. Misbranding of hog powder. U. S. \* \* \* v. 12 Five-pound Bags, 12 Fifteen-pound Pails, and 12 Thirty-pound Pails of \* \* \* B. A. Thomas' Improved Hog Powder \* \* \*. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9087. I. S. No. 10012-p. S. No. C-913.)**

On June 24, 1918, the United States attorney for the Eastern 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 for the seizure and condemnation of 12 five-pound bags, 12 fifteen-pound pails, and 12 thirty-pound pails of B. A. Thomas' Improved Hog Powder, consigned on or about April 10, 1918, by the Old Kentucky Manufacturing Co., Paducah, Ky., remaining unsold in the original unbroken packages at Mitchellsville, Ill., alleging that the article had been shipped and transported from the State of Kentucky into the State of Illinois, and charging misbranding in violation of the Food & Drugs Act, as amended. The article was labeled in part, "B. A. Thomas' Improved Hog Powder."

Misbranding of the article was alleged in the libel for the reason that the label on the bags and pails contained the following false and fraudulent statements regarding the curative and therapeutic effect of the article and the contents of the bags and pails, to wit, "B. A. Thomas' Improved Hog Powder \* \* \* for hogs that will eat or to use this remedy as a preventive for cholera; \* \* \* remedy for such diseases as Cholera, Swine Plague."

Misbranding of the article was alleged for the further reason that the booklet contained in the shipment bore the following false and fraudulent statements regarding the curative and therapeutic effect of the article and the contents of the bags and pails, to wit: "B. A. Thomas' Hog Powder \* \* \* used it most successfully for a number of years with his own hogs for the cure and prevention of Cholera and Swine Plague \* \* \* during a general epidemic of Hog Cholera in his county which had spread to his own herd. That he first used this remedy with such splendid effect that he did not lose a single hog, although a number were past eating and were apparently in a hopeless condition. Proving so successful in this case, he continued the use of it as a cure and preventive for Cholera and Swine Plague; \* \* \* a safe and effective remedy and preventive for contagious germ diseases such as Cholera, Swine Plague; \* \* \* if used as directed, we positively guarantee one pound B. A. Thomas' Hog Powder to cure any one case of Hog Cholera or we will refund your money."

Misbranding of the article was alleged for the further reason that the contents of the bags and pails was a dry powder containing essentially iron oxid, iron, lime and magnesium, carbonate and sulphate, and salt, and the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it on the label and in the booklet.

On August 9, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

J. R. RIGGS, *Acting Secretary of Agriculture.*

**6732. Misbranding of Sulferro-Sol. U. S. \* \* \* v. 11 Gross Large and 1 Gross Small Packages of Sulferro-Sol. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9088. I. S. No. 4884-p. S. No. E-1051.)**

On June 29, 1918, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on September 27,