

**8830. Misbranding of Bick's Nerve Tonic. U. S. \* \* \* v. 4 Packages and 11 Packages of Bick's Nerve Tonic. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13638, 13639. I. S. Nos. 441-t, 453-t. S. Nos. C-2470, C-2471.)

On or about September 28, 1920, the United States attorney for the Western District of Oklahoma, 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 4 packages and 11 packages of Bick's Nerve Tonic, remaining unsold in the original unbroken packages at Gotebo and Erich, Okla., alleging that the article had been shipped on or about January 15, 1920, by the Palestine Drug Co., St. Louis, Mo., and transported from the State of Missouri into the State of Oklahoma, and charging misbranding under the Food and Drugs Act, as amended. The article in the Gotebo shipment was labeled in part, "\* \* \* Nerve Tonic \* \* \* one of the best \* \* \* treatments known for those nervous run-down conditions which cause so much mental worry \* \* \* For the treatment of weak and irritated conditions of the nervous system \* \* \* manifested \* \* \* as poor appetite, feeling of weakness, despondency, lack of iron in the system of both sexes and lack of energy," and in the Erich shipment in part, "\* \* \* Nerve Tonic \* \* \* for Nervous Prostration and bodily aches and pains \* \* \* of nerve \* \* \* tonic for all female complaints \* \* \* for Weakness, Nervousness, Headaches, Kidney Trouble, and loss of Power in either Sex \* \* \* for female weakness, heart trouble, and where a general breakdown of the nervous system exists \* \* \*."

Analysis of a sample by the Bureau of Chemistry of this department showed that the article consisted of two preparations, brown tablets and yellow pellets. The tablets consisted essentially of salts of zinc and iron, phosphorus, and phosphates, and the pellets consisted essentially of iron phosphate and strychnine.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements borne on the label, with respect to the curative and therapeutic effects of the article, were false and fraudulent as the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On November 15, 1920, no claimant having appeared for the property, a default decree of condemnation, forfeiture, and destruction was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8831. Adulteration and misbranding of Big G. U. S. \* \* \* v. 10 Dozen Bottles of Big G. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10646. I. S. No. 16559-r. S. No. E-1566.)

On or about June 23, 1919, the United States attorney for the Southern District of Florida, 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 10 dozen bottles of Big G, at Jacksonville, Fla., consigned by the Evans Chemical Co., Cincinnati, Ohio, alleging that the article had been shipped on or about May 5, 1919, and transported from the State of Ohio into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a dilute aqueous solution of borax and berberine. No hydrastine was present.