

condemnation of 250 cases of a product purporting to be canned tomatoes, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about June 12, 1920, by the Phillips Packing Co., Cambridge, Md., and transported from the State of Maryland into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, tomato pulp, had been mixed and packed with, and substituted in part for, tomatoes.

Misbranding was alleged for the reason that the package and label of the article bore a statement, design, and device regarding the said article and the ingredients and substances contained therein, to wit, "Castle Haven Brand Tomatoes * * * Contents Weigh 2 Lbs. Our First Quality Carefully Selected Packed for Fine Family Trade Packed by Phillips Packing Co. Cambridge, Md. U. S. A.," which were false and misleading, and misled and deceived the purchaser, and for the further reason that said article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, canned tomatoes.

On December 9, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered providing that the goods might be sold after the same had been relabeled in such manner as to bring the goods into conformity with the law.

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

8926. Misbranding of Dr. Cheeseman's Pills. U. S. * * * v. 9 Packages * * * of Dr. Cheeseman's Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13819. I. S. No. 7835-t. S. No. E-2843.)

On October 28, 1920, 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 for the seizure and condemnation of 9 packages of an article, labeled in part "Dr. Cheeseman's Female Regulating Pills," consigned May 3, 1920, by the Kells Co., Newburgh, N. Y., remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been transported from the State of New York into the State of Pennsylvania, and charging 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 the pills consisted essentially of aloes and ferrous sulphate.

It was alleged in the libel that the product was misbranded for the reason that the label and circular accompanying the same contained statements, designs, and devices regarding the curative or therapeutic effects of said article and the ingredients or substances contained therein, which were false and fraudulent in that said article would not produce the curative or therapeutic effects which purchasers were led to expect by the following statements, designs, and devices which were applied to said article with a knowledge of their falsity for the purpose of defrauding purchasers thereof: (Carton) " * * * Female Regulating Pills * * *," (small circular, English and German) " * * * Female Regulating Pills. In case of Obstruction of long standing * * * continue * * * until a cure is effected. * * * In recent cases of Obstruction * * * commence by two of these pills at night upon going to bed, continuing them until their end is answered * * * When Obstruction is apprehended * * * seldom fails of restoring nature to its proper channel. In cases of Impotency or Barrenness, Seminal Weakness, Gleet,

Whites, and all diseases arising from a relaxed state of the genital organs, whether the result of disease, injuries or consequences of youthful indiscretion, or indulgence of the passions in riper years, they are equally beneficial * * * A little perseverance in their use seldom fails of effecting a perfect restoration to health * * * obstinate cases of Obstruction * * *;" (large circular) " * * * for the miseries endured by those of our female friends who cannot enjoy the benefits of Regularity. A specific was wanting to cover this ground, and it was found by Dr. C. L. Cheeseman * * * his famous pills for females * * * possess all the safe and certain powers requisite to allay all sufferings connected with the womb and its dependencies, and that it will, if used strictly according to his directions, conquer every disease incidental to the life of every female—whether married or single—whether she has just emerged from her cradle, if a wife or a widow, or is really [ready] to step into a grave on account of old age * * * a specific remedy, and * * * they are the only certain curative known to the world * * * Dr. Cheeseman's pills are designed to check and do away with irregularities. From obstructions of the monthly function a host of the most harrowing troubles arise, not the least of which are constant nausea during the severest period of the infliction, headache of a violent type, extreme and tormenting nervousness, a tendency to apoplexy, increase of bile beyond the natural volume, hysteria, racking pains, giddiness, uncertain state of the urine, corrugated skin, sallow and repulsive complexion, furred tongue and fetid breath, varicose veins, general debility, loss of the hair, decay and aching of the teeth, glandular swellings, spasms, fits, etc., etc. These are but a tithe of the miseries irregularities in the operations of the monthly period are sure to produce in the systems of either the married or the single. There are some who are always afflicted by too heavy a menstrual flow. These persons are always in extreme danger. If these irregularities—whether manifested by obstruction or overflow—are the results of accidental circumstances, or the consequences of constitutional discrepancies or misfortunes—if they are hereditary or of recent date—the ultimate consequences are equally disastrous. The pills of Dr. Cheeseman have always cured every case to which they have been applied. They have never been administered, even where the directions have not been faithfully followed, without at once producing a marked change for the better, and they have invariably triumphed, notwithstanding the extremest obstinacy of the affliction * * * His pills are designed for the obviation of the fatal consequences (either direct or remote) of the suppression, or too great activity of menstruation. They are meant to be the sure guide to Menstrual Regularity. With this, a woman, whether young or old, married or single, can always be positive of the possession of sound general health, and can laugh to scorn the ailments to which ignorant and indolent invalids chain themselves, like Ixion to the wheel; or Prometheus to the rock. Procure regularity, and you have, ladies, good health in all its delightful phases. Irregularity of the monthly period is a disease more destructive of the health, happiness and beauty of the female than any other. If it leads to the whites, you suffer everything a little short of death, and eventually it comes to that * * * Dr. C. L. Cheeseman's pills for females have so often eradicated this dreadful scourge in a few days, and so many records exist of their infallibility in that particular, that it seems nearly useless to proclaim the news * * * Dr. Cheeseman's pills * * * restore the female to complete health * * * 'Dr. Cheeseman's Pills for Females' are designed as a panacea * * * After having been cured by a limited course of these pills, it is the easiest thing possible to keep regular. It is then that one or two of the pills will destroy the slightest tendency to a return of the old symptoms. Annexed are a few jottings expressive of the good these

pills have done with the severest and most desperate cases of illness arising from a disorganization of the procreative organs and dependent functions in females. A lady in New Orleans, aged 31, had been afflicted with occasional obstructions for more than 12 years * * * Three boxes of C. L. Cheeseman's pills restored her to health * * * 'All of my acquaintances are more or less afflicted by those obstructions which form the curse of both married and single life. I have recently been troubled in the same way. My acquaintances said that your pills formed the only medicine which could cure me.' '* * * nothing * * * equal to Dr. Cheeseman's pills * * * They are * * * efficient.' * * * Two ladies in Detroit, Michigan, * * * were constitutionally afflicted by obstructions * * * Dr. Cheeseman's pills cured them * * * irregularity * * * Cured in six weeks. A girl * * * was treated four years for epilepsy. An aunt * * * discovered that the reason of her having epilepsy was obstruction. * * * She recommended the use of his pills * * * The girl has never had an attack since. A widow lady of Montreal, Canada, was reduced to the verge of the grave by a total stoppage of the period * * * The first box cured her * * * induce with certainty periodical regularity."

On November 18, 1920, 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.

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

8927. Misbranding of Meritol Compound Antiseptic Powder. U. S. v. * * *
1½ Dozen * * * of Meritol Compound Antiseptic Powder. De-
fault decree of condemnation, forfeiture, and destruction. (F. &
D. No. 13823. I. S. No. 397-t. S. No. C-2493.)

On October 28, 1920, the United States attorney for the District of Nebraska, 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 1½ dozen packages of Meritol Compound Antiseptic Powder, remaining in the original unbroken packages at Omaha, Nebr., alleging that the article had been shipped on or about June 2, 1920, by the American Drug & Press Assn., Decorah, Iowa, and transported from the State of Iowa into the State of Nebraska, and charging misbranding, in violation of the Food and Drugs Act, as amended. The article was labeled in part, "* * * For * * * Sore Throat, Catarrh, Piles * * * and for the treatment of Leucorrhœa, Gonorrhœa * * * Vaginitis, Ulceration of the Mucous Membrane and Abnormal Discharges * * * Catarrh and Sore Throat * * * Piles * * * Leucorrhœa, Gonorrhœa * * * Vaginitis, Ulceration of the Mucous Membrane and Abnormal Discharges * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a powder composed essentially of boric acid, zinc sulphate, and small amounts of salicylic acid and phenol.

It was alleged in substance in the libel that the article was misbranded for the reason that the above-quoted statements, regarding the curative and therapeutic effect thereof, were false and fraudulent in that said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 2, 1920, 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.

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