10115. Misbranding of hog cholera mixture. U. S. * * * v. 20 Bottles of * * * Wm. Hall's Hog Cholera Mixture. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9166. I. S. No. 12161–p. S. No. C–935.)

On July 24, 1918, the United States attorney for the Eastern District of Arkansas, 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 20 bottles of Wm. Hall's hog cholera mixture, at Marianna, Ark., consigned by James F. Ballard, St. Louis, Mo., and received on or about June 14, 1918, alleging that the article had been shipped from St. Louis, Mo., and transported from the State of Missouri into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottles) "Wm. Hall's Hog Cholera Mixture * * * Prepared by The Wm. Hall Medicine Co. James F. Ballard, Prop. St. Louis, Missouri * * *"; (carton) "Wm. Hall's Hog Cholera Mixture Is Recommended For Cholera * * * Directions. * * * For those that are not yet sick, but have been with infected hogs or in infected places, give the dose and treatment, described as a preventive, * * * This will tend to destroy the germ of the disease before it has a chance to develop."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of turpentine oil, sodium thiosulphate, sodium bicarbonate, calcium carbonate, tar, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing on the bottle label and carton were false and fraudulent, since the said article contained no ingredients or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On October 2, 1919, 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.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10116. Misbranding of Dr. Hebras blood, liver, and nerve tonic. U. S. * * * v. G. C. Bittner Co., a Corporation. Plea of nolo contendere. Fine, $10. (F. & D. No. 9757. I. S. No. 6369–r.)

On May 5, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the G. C. Bittner Co., a corporation, Toledo, Ohio, alleging shipment by said company, on or about May 17, 1918, in violation of the Food and Drugs Act, as amended, from the State of Ohio into the State of Illinois, of a quantity of Dr. Hebras blood, liver, and nerve tonic which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of water, magnesium sulphate, a trace of salicylic acid, and a small amount of plant material.

Misbranding of the article was alleged in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles containing the said article, falsely and fraudulently represented it to be effective as a treatment and preventive for nonchronic rheumatism, blood disorders, stomach trouble, liver and kidney complaints, sick headache, malaria, indigestion, dyspepsia, and skin diseases and as a blood, liver, and nerve tonic, when, in fact and in truth, it was not.

On October 9, 1919, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of $10.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10117. Misbranding of cottonseed feed. U. S. * * * v. Planters Oil Co. and Taylor Commission Co., Corporations. Pleas of guilty. Fines, $300. (F. & D. No. 10595. I. S. Nos. 2882–p, 2884–p, 2895–p.)

On February 28, 1920, 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 an information against the Planters Oil Co., a corporation, Albany, Ga., and the Taylor Commission Co., a corporation, Atlanta, Ga., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about February 9, 14, and 21, 1918, respectively, from the State of Georgia into the State of North Carolina, of quantities of cottonseed feed which was misbranded. The article was labeled in part, "'Planco' Brand Cotton Seed Feed Manufactured by Planters Oil Co., Albany, Ga. * * *."