

contained ingredients or medicinal agents effective as a remedy for the various diseases, ailments, and afflictions mentioned in the said statements, whereas, in truth and in fact, it did not contain ingredients or combinations of ingredients effective as a remedy for the said diseases, ailments, and afflictions.

On November 14, 1921, 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.*

10211. Adulteration and misbranding of vinegar. U. S. * * * v. 10 Barrels of Cider Vinegar. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14081. I. S. No. 6279-t. S. No. E-2971.)

On February 7, 1921, the United States attorney for the District of New Jersey, 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 barrels of cider vinegar, remaining in the original unbroken packages at Elizabeth, N. J., alleging that the article had been shipped by the Powell Corp., Canandaigua, N. Y., on or about June 14, 1920, and transported from the State of New York into the State of New Jersey, 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, apple waste vinegar and added ash material, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in whole or in part for pure cider vinegar, which the said article purported to be.

Misbranding was alleged for the reason that certain statements labeled on the said barrels, regarding the article and the ingredients contained therein, to wit, "Pure Cider Vinegar, Made from Apples Reduced to 4%—Net Contents 44, 45, 45, 47 gals (Lot 162) Made by the Powell Corp., Canandaigua, N. Y.," were false and misleading in that the said statements represented to the purchaser that the article was pure cider vinegar, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser thereof into the belief that it was pure cider vinegar, whereas, in truth and in fact, it was not pure cider vinegar, but was a product composed of waste apple vinegar and added ash material. Misbranding was alleged for the further reason that the article was a product composed of waste apple vinegar, prepared in imitation of, and offered for sale under the distinctive name of, another article, to wit, pure cider vinegar.

On January 19, 1922, 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.*

10212. Misbranding of Pep-Tonic. U. S. * * * v. 8 Bottles, 8 Bottles, and 5 Cases of Pep-Tonic. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14195, 14196, 14197. I. S. Nos. 3446-t, 3449-t, 3450-t. S. Nos. C-2687, C-2688, C-2689.)

On January 14 and 15, 1921, respectively, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 16 bottles and 5 cases of Pep-Tonic, remaining unsold in the original unbroken packages at Sioux Falls, White Lake, and Freeman, S. D., respectively, alleging that the article had been shipped by the Puritan Products Co., Inc., Clinton, Ill., on or about August 7 and 20, 1920, respectively, and transported from the State of Illinois into the State of South Dakota, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Hog Life Insurance Pep-Tonic A Medicine For The Prevention Of Cholera, Also Stomach And Intestinal Worms In Swine * * * We will refund your money if Pep-Tonic fails to prevent cholera, also stomach or intestinal worms in swine, when used strictly as per directions * * * Use Pep-Tonic The First Two Weeks * * * To Remove The Worms * * * If the hogs have worms they will begin to come out by the end of the first week, but keep up the treatment for another week, then give as directed for prevention, * * * After you have given Pep-Tonic for two weeks, as above stated, give it three times each week, as a

* * * prevention * * *"; (carton) " * * * A Medicine For Prevention Of Cholera Also for Prevention And Expulsion Of Stomach And Intestinal Worms In Swine. * * * We will refund your money if Pep-Tonic fails to prevent cholera; also stomach or intestinal worms in swine, when used strictly as per directions; * * * Pep-Tonic * * * keeps them well. Feeding a sick or wormy hog means loss you can avoid. * * * Hog Cholera * * * Get rid of the worms. Pep-Tonic will do it. * * * It is a worm and cholera medicine. It prevents the big losses caused by cholera and worms, * * * You don't have to feed wormy hogs, Pep-Tonic will rid your hogs of them. Its use will keep hogs of any size, age, sex or condition in perfect health. Pep-Tonic does the work every time. No question about it and no question about results * * *"; (circular) " * * * Peptonic As A Cure And Prevention Of Hog Cholera And As An Expeller And Prevention Of Stomach And Intestinal Worms In Swine. * * * Why grow * * * wormy, * * * hogs when it can be avoided. * * * Use the Guaranteed Medicine, indorsed by hundreds of successful growers of swine—the Medicine that has been tried, tested and found true. * * * Peptonic will kill and remove intestinal worms in swine within one week * * * It is used to prevent Cholera and for the expulsion and prevention of stomach and intestinal worms, * * * This wonderful medicine will rid your hogs of worms. It is a proven fact; * * * This medicine does the work where other so-called remedies fail. Peptonic * * * worm and cholera medicine. Its use will keep hogs of any size, aged, sex or condition free from worms and healthy. It prevents the big losses caused by cholera and worms * * * There is no guess work about it and no question about results. Use this medicine and you will rid your hogs of worms * * *".

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted of approximately 76 per cent of salt, 7 per cent of potassium permanganate, 9 per cent of potassium bichromate, and a small amount of starch, in tablet form.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements appearing on the bottle labels and cartons and in the accompanying circulars, regarding the curative and therapeutic effect of the said article, were false and fraudulent in that the said article and the ingredients and substances thereof were not capable of producing the effects claimed in the said statements.

On January 20, 1922, no claimant having appeared for the property, judgments of condemnation and forfeiture were 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.*

10213. Misbranding of Wood's capsules and Hoffo-Kos special capsules improved. U. S. * * * v. 36 Packages * * * of Wood's Capsules and 30 Packages * * * of Hoffo-Kos Special Capsules Improved. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14282, 14291. Inv. Nos. 32435, 32437. S. Nos. E-3158, E-3159.)

On March 7, 1921, the United States attorney for the District of New Jersey, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 36 packages of Wood's capsules and 30 packages of Hoffo-Kos special capsules improved, remaining in the original unbroken packages at Newark and Hoboken, N. J., respectively, alleging that the articles had been shipped by the Grape Capsule Co., Allentown, Pa., on or about April 12, 1920, and February 10, 1921, respectively, and transported from the State of Pennsylvania into the State of New Jersey, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the articles was alleged in substance in the libels for the reason that certain statements appearing on the cartons containing the respective articles falsely and fraudulently represented them to be effective for gonorrhoea, gleet, and all kidney and bladder troubles, when, in truth and in fact, the said articles contained no ingredients or combinations of ingredients capable of producing the effects claimed in said statements.

On January 19, 1922, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

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