

10819. Misbranding of tankage. U. S. v. 18 Sacks of Digester Tankage. Default decree of condemnation, forfeiture, and destruction.
(F. & D. No. 15188. I. S. No. 231-t. S. No. C-3123.)

On July 18, 1921, the United States attorney for the Western District of Wisconsin, 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 18 sacks of digester tankage, remaining unsold in the original unbroken packages at Janesville, Wis., alleging that the article had been shipped by the Rogers Grain Products Co., Belvidere, Ill., May 23, 1921, and transported from the State of Illinois into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "100 Lbs. Net Hygrade Brand Feeds Digester Tankage * * * Made by Rogers Grain Products Co., Belvidere, Ill."

Misbranding of the article was alleged in substance in the libel for the reason that the following statement appearing on the sacks containing the said article, to wit, "Guaranteed Analysis: Protein 60%," was false, in that the said article did not contain 60 per cent of protein but did contain a less amount, the said statement regarding the amount of protein contained in the said article being false and misleading and calculated to deceive and mislead purchasers thereof in that it falsely represented the amount of protein contained therein.

On November 9, 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.*

10820. Adulteration of mixed feed. U. S. v. 800 Bags of Mixed Feed. Default decree declaring product adulterated and ordering its destruction.
(F. & D. No. 595-c. I. S. No. 9077-t.)

On August 4, 1920, the United States attorney for the Western District of North Carolina, acting upon a report by an official of the Department of Agriculture of North Carolina, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 800 bags of mixed feed, at Marion, N. C., alleging that the article had been shipped by the Nashville Grain & Feed Co., Nashville, Tenn., July 2, 1920, and transported from the State of Tennessee into the State of North Carolina, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Standard Mixed Feed Nashville Grain & Food Co., Protein 14.50 Fat 6.50 Fiber 9.00 Carbohydrates 55.0."

Adulteration of the article was alleged in substance in the libel for the reason that a substance containing 12.2 per cent of protein, 5.6 per cent of fat, and 12 per cent of fiber had been mixed and packed with and substituted wholly or in part for mixed feed purporting to contain 14.50 per cent of protein, 6.50 per cent of fat, 9 per cent of fiber, and 55 per cent of carbohydrates. Adulteration was alleged for the further reason that the article was mixed in a manner whereby damage or inferiority was concealed.

On September 7, 1921, no claimant having appeared for the property, judgment of the court was entered, declaring the product to be adulterated and ordering its destruction by the United States marshal.

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

10821. Misbranding of Hobo kidney and bladder remedy. U. S. v. 144 Bottles and 78 Bottles of Hobo Kidney and Bladder Remedy. Default decrees of condemnation, forfeiture, and destruction.
(F. & D. Nos. 12616, 12617. I. S. Nos. 9686-r, 9687-r. S. Nos. C-1897, C-1909.)

On April 29, 1920, the United States attorney for the Western District of Texas, 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 144 bottles and 78 bottles of Hobo kidney and bladder remedy, at San Antonio and Austin, Tex., alleging that the article had been shipped on or about January 15, 1920, and September 29, 1919, respectively, by the Hobo Medicine Mfg. Co., Shreveport, La., and transported from the State of Louisiana into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Kidney & Bladder Remedy, A Vegetable Compound Manufactured from Native Herbs * * * Bright's Disease acute and chronic Cystitis renal & vesical pus or blood in urine. Incontinence Albuminuria & Ailments caused from Defective

(kidney and bladder) Elimination * * * One of the Greatest Alteratives * * *. Back Ache, Persistent Head Ache, Dizziness, Forgetfulness, Weakness and Rheumatism When Caused by Disordered Kidneys, the Same Being True of Inflammation of the Bladder;" (bottle) "Kidney and Bladder Remedy. A Vegetable Compound for the Treatment of Brights Disease, Acute and Chronic Cystitis, Renal and Vesical Pus or Blood in Urine, Incontinence and Retention, Albuminuria and all Ailments caused from Defective (Kidneys and Bladder) Elimination;" (booklet) "For nearly three years, Mr. G. D. Horton * * * was a sufferer from Bright's disease in its most malignant form. * * * Within three days * * * Mr. Horton was greatly improved, and within two months restored to health without any recurrence of the malady in the intervening years. * * * Mr. Horton has named the preparation Hobo Kidney and Bladder Remedy. * * * it not only gave speedy relief to all the tortures which kidney and bladder afflictions entailed, such as incontinence of urine, gravel in the bladder, irritated glands, backaches, kindred complaints. but that in many instances the cures were absolutely permanent. * * * If your case is of long standing, do not expect one or two bottles to cure you. * * * you must continue to take the medicine—a half-dozen a dozen bottles—yes, until you feel absolutely sure every vestige of your trouble has been removed."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of small quantities of extract of a plant drug similar to Galium Aparine, benzoic acid, salicylic acid, and water. Water constituted 98 per cent of the article and the dissolved matter, 2 per cent.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted claims and statements regarding the curative effects of said article were false and fraudulent, for the reason that said drug or product contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 14, 1921, and May 29, 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.*

10822. Misbranding of Allan's Star Brand pills and compound tansy, pennyroyal and cotton root pills. U. S. v. 33 Packages of Allan's Star Brand Pills and 30 Packages of Compound Tansy, Pennyroyal and Cotton Root Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. No. 13840. S. Nos. C-2570, C-2571.)

On November 17, 1920, the United States attorney for the Western District of Louisiana, 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 33 packages of Allan's Star Brand pills and 30 packages of compound tansy, pennyroyal and cotton root pills, remaining unsold in the original unbroken packages at Shreveport, La., alleging that the articles had been shipped by the Allan-Pfeiffer Chemical Co., St. Louis, Mo., June 23, 1920, and transported from the State of Missouri into the State of Louisiana, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Star Brand pills consisted essentially of iron sulphate, aloes, and starch, coated with sugar and calcium carbonate, and that the compound tansy, pennyroyal, and cotton root pills consisted essentially of iron sulphate, aloes, and pennyroyal oil, coated with sugar and calcium carbonate.

Misbranding of the articles was alleged in substance in the libels for the reason that the circulars contained in the packages containing the said articles bore the following statements, "Safe and Effectual Remedy in Suppressed or Painful Menstruation * * * Four or five days immediately preceding the expected appearance of the menstrual flow active treatment should begin * * * To Prevent Irregularities.—Take one Pill three times daily for four or five days preceding the expected appearance of the menstrual period. For Painful Menstruation.—The same treatment prescribed for suppression," which said statements regarding the curative and therapeutic effect of the said articles were false and fraudulent, since they contained no ingredient or combination of ingredients capable of producing the effects claimed.