

article was labeled in part: (Can) "A No. 1 Vincent's Leader Cane and Maple Syrup Vincent 2½ Lbs Net" (or "5 Lbs Net" or "10 Lbs Net") "Vincent Syrup Co. Denver, Colo."

Misbranding of the article was alleged in substance in the libel for the reason that the statements appearing on the cans of the respective sizes, containing the said article, "23 Pounds Net," "2½ Lbs Net," "5 Lbs Net," and "10 Lbs Net," were false and misleading, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser, in that the said cans purported to contain 23 pounds, 2½ pounds, 5 pounds, and 10 pounds, respectively, whereas, in truth and in fact, each of said cans did contain less than 23 pounds, 2½ pounds, 5 pounds, or 10 pounds, as the case might be, of the said article. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight or measure.

On August 2, 1922, the Vincent Syrup Co., Denver, Colo., having entered an appearance as claimant for the property, judgment of the court was entered ordering that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

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

10960. Misbranding of Cadomene tablets. U. S. v. 557 Packages of Cadomene Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 14381, 14382. I. S. Nos. 10511-t, 10512-t. S. Nos. W-854, W-855.)

On January 31, 1921, the United States attorney for the Northern District of California, 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 557 packages of Cadomene tablets, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Blackburn Products Co., Dayton, Ohio, between the dates of March 19 and June 3, 1920, and transported from the State of Ohio into the State of California, 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 tablets contained zinc phosphid, strychnine, and an iron salt, coated with calcium carbonate and colored lavender.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing on the label of the bottle containing the said article and in the accompanying circular, (bottle) "Invigorating * * * for the Treatment of * * * Neurasthenia (Nerve Exhaustion), General Debility, Melancholy, Dizziness, Heart Palpitation, Trembling Weakness, Waning Strength, Functional Irritation of the Urinary Tract, Languor and many other Symptoms due to * * * Worry, Grief, Intemperance, Dissipation, Overwork, Mal-Nutrition, Convalescence from Influenza, Etc. * * *," (circular) "* * * the benefits to be derived from their use, are such as to recommend them to all who may be afflicted with * * * Neurasthenia, Nervous Exhaustion, General Debility, Melancholy, Dizziness, Heart Palpitation, Trembling Weakness, Waning Strength, Functional Irritation of the Urinary Tract, Languor and many other symptoms due to * * * Worry, Grief, Intemperance, Dissipation Mal-Nutrition, Overwork, Etc. * * * valuable for those who are despondent, nervous, irritable and unable to act naturally under the most ordinary circumstances * * *," were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On May 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.*

10961. Misbranding of Egyptian regulator tea. U. S. v. 528 Packages, et al., of Egyptian Regulator Tea. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 14390, 14391, 14392. I. S. Nos. 10486-t, 10487-t, 10488-t. S. Nos. W-857, W-858, W-859.)

On February 1, 1921, the United States attorney for the Northern District of California, 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