

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

condemnation of 528 packages, 35-cent size, 309 packages, 65-cent size, and 41 packages, \$1.25 size, of Egyptian regulator tea, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Kells Co., Newburgh, N. Y., between the dates of January 8 and November 27, 1920, and transported from the State of New York 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 it consisted of compressed herbs, including senna, coriander, dog grass, licorice root, ginger, sambucus, cinnamon, and dandelion root.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements, appearing in the accompanying white circulars and in the blue wrappers, (white circular, all sizes) "Egyptian Regulator Tea a Speedy and Positive relief for Dyspepsia, Liver Complaint, Sick Headache, Nervousness. * * * Nature's Own Gift to Dyspeptic, Debilitated Men, to Wornout, Nervous Women, to Mothers of Peevish and Sickly Children, to Girls Just Budding into Womanhood, to Sufferers from Defective Nutrition and Blood Diseases, to Corpulent People, whether Male or Female, Old or Young. * * * Rheumatism, Neuralgia, Sick Headache, pains in all parts of the body, Running Sores, Pimples, Boils, Carbuncles and Skin Diseases. * * * Lung Trouble and Consumption, Premature Old Age, Lack of Youthful Energy, Beauty and Vigor, Sallow Complexion and Haggard, Careworn Look * * * diabetes * * * Malaria * * * killing the Disease Germs * * * Heart Troubles, Paralysis, Rheumatism, Gout * * * apoplexy," (blue wrapper, 35-cent and 65-cent sizes) "Egyptian Regulator Tea a Remedy for * * * Dyspepsia, sick headaches, and all disorders of the stomach, its daily use will purify the blood remove all blotches from the face and restore the complexion. Ladies will find this a valuable remedy for all female complaints, also for liver and kidney troubles," (blue wrapper, \$1.25 size) "Egyptian Regulator Tea an Excellent Remedy for * * * Dyspepsia * * * Rheumatism, Nervousness, Liver Complaints, Sick Headache, Corpulency, etc. * * *," 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.*

10962. Adulteration and misbranding of Wine-O and Strawberri beverages. U. S. v. James H. Duncan (Astoria Soda Works). Plea of guilty. Fine, \$50. (F. & D. No. 14560. I. S. Nos. 10304-t, 10305-t.)

On July 23, 1921, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against James H. Duncan, trading as the Astoria Soda Works, Astoria, Oreg., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 23, 1920, from the State of Oregon into the State of Washington, of quantities of Wine-O and Strawberri beverages, respectively, which were adulterated and misbranded. The articles were labeled in part, respectively: "Wine-O Flavored With Fruit and Berry Juices * * * Astoria Soda Works Sole Manufacturers * * *;" "Purity ASW Strength Strawberri * * * Astoria Soda Works Astoria, Oregon."

Analysis of a sample of the Wine-O by the Bureau of Chemistry of this department showed that it was a beverage containing a little natural flavoring, artificially colored and flavored, and containing saccharin; analysis of a sample of the Strawberri by said bureau showed that it was a carbonated beverage, artificially colored and flavored and containing saccharin.

Adulteration of the articles was alleged in the information for the reason that an artificially colored mixture containing saccharin and flavored with phosphoric acid, with respect to the Wine-O, and a product made from strawberries artificially flavored and which contained a large proportion of saccharin, with respect to the Strawberri, had been substituted in whole or in part for "Wine-O Flavored With Fruit and Berry Juices," or "Purity Strength Strawberri," to wit, a product made from strawberries, as the case might be, which the said articles purported to be. Adulteration was alleged with respect to the