

9774. Misbranding of Winslow's sarsaparilla compound. U. S. * * * v. 3½ Gross Bottles of Winslow's Sarsaparilla Compound. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 13397, 13507. I. S. No. 9081-t. Inv. No. 25151. S. Nos. E-2524, E-2558.)

On August 20, 1920, the United States attorney for the Western District of South Carolina, acting upon reports 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 3½ gross bottles of Winslow's sarsaparilla compound, at Spartanburg, S. C., alleging that the article had been shipped by the Howard Drug and Medicine Co., Baltimore, Md., one dozen on or about March 27, 1920, and the remainder in two shipments on or about the respective dates April 3 and May 25, 1920, and transported from the State of Maryland into the State of South Carolina, 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 essentially of extract of plant material, including sarsaparilla, potassium iodid, glycerin, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the bottles and cartons containing the same bore certain statements regarding the curative and therapeutic effects of the said article and the ingredients or substances contained therein, to wit, (bottle) "* * * A Reliable Remedy For Scrofula, Chronic Ulcers, Cancerous Ulcers, Necrosis, Diseases of the Bones, Syphilitic Affection, Rheumatism, Female Weakness, Dyspepsia, Pimples and all Skin Diseases and the many Diseases arising from an Impure State of the Blood," (carton) "For Scrofula, Chronic Ulcers, Cancerous Ulcers, Necrosis, Diseases of the Bones, Syphilitic Affections, Rheumatism, Dyspepsia, Pimples, and all Skin Diseases and the many Diseases arising from an impure State of the Blood," which were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 29, 1920, the Howard Drug and Medicine Co., Baltimore, Md., having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

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

9775. Misbranding of Dr. Martel's female pills. U. S. * * * v. 3 Packages * * * of Dr. Martel's Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13404. I. S. No. 4283-t. S. No. C-2216.)

On August 20, 1920, 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 a libel for the seizure and condemnation of 3 packages, more or less, of Dr. Martel's female pills, remaining in the original unbroken packages at Cleveland, Ohio, alleging that the article had been shipped by the French Drug Co., New York, N. Y., on or about March 18, 1919, and transported from the State of New York into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) "* * * Female Pills * * * For (Suppression Of The Menses) Dysmenorrhoea (Painful Menstruation) And Similar Functional Derangement"; (circular) "* * * Female Pills * * *