9788. Misbranding of Vitalo. U. S. * * * v. 20 Bottles of Vitalo. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14235. I. S. No. 1653-t. S. No. C-2735.)

On January 22, 1921, the United States attorney for the Eastern District of Louisiana, 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 20 bottles of Vitalo, remaining unsold in the original unbroken packages at New Iberia, La., alleging that the article had been shipped by the Allan-Pfeiffer Chemical Co., St. Louis, Mo., on or about September 3, 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.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained vegetable extractive matter, including damiana, nux vomica, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding its curative and therapeutic effect, appearing in the labels of the bottles and cartons containing the article, (bottle) "* * * A Nerve And Muscle Tonic * * *," (carton) "* * * Remedy * * * For General Weakness. * * * Nervous Debility. * * * for the Nerves, Brain, and Muscles * * *," were false and fraudulent as the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 29, 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.*

9789. Adulteration of canned blackberries. U. S. * * * v. 100 Cases of Canned Blackberries * * *. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14708. I. S. No. 10342-t. S. No. W-908.)

On April 5, 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 100 cases of canned blackberries, consigned by the Skagit Canning Co., Sedro Woolley, Wash., remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped from Sedro Woolley, Wash., on or about February 14, 1921, and transported from the State of Washington into the State of California, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Skagit Brand Blackberries Packed By Skagit Canning Co. Sedro-Woolley Wash. * * *"

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy and decomposed vegetable substance.

On August 22, 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.*

9790. Misbranding of Craemer's Calculus Corrective or Craemer's remedy for gallstones and stones in the kidneys and urinary bladder. U. S. * * * v. Wm. Craemer Medicine Co., a Corporation. Plea of nolo contendere. Fine, $25 and costs. (F. & D. No. 7558. I. S. No. 10513-l.)

On September 13, 1916, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the Dis-