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-

trict Court of the United States for said district an information against the Wm. Craemer Medicine Co., a corporation, St. Louis, Mo., alleging shipment by said defendant company, on or about June 18, 1915, in violation of the Food and Drugs Act, as amended, from the State of Missouri into the State of Wisconsin, of a quantity of Craemer's Calculus Corrective or Craemer's remedy for gallstones and stones in the kidneys and urinary bladder, which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was an alkaline, aqueous solution, composed essentially of potassium, sodium, ammonium, phosphate, chlorid, citrate, salicylate, and a small amount of saccharin.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements regarding the therapeutic or curative effects thereof, appearing on the label and included in the circular which accompanied the article, falsely and fraudulently represented it to be effective as a remedy for gallstones, stones in the kidneys, and stones in the urinary bladder or gravel, effective to remove gallstones, stones in the kidney or urinary bladder, and other obstructions in the gall and urine tracts, partly by dissolving them, making them liquid, or only softening and breaking them up, and partly by facilitating their passage through the respective ducts, in distending these ducts, and to prevent the formation of new stones, and effective as a preventive of gallstones and as a cure for gallstones, when, in truth and in fact, it was not.

On April 28, 1921, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of $25 and costs.

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

9791. Adulteration of shell eggs. U. S. * * * v. Abraham Amber. Plea of guilty. Fine, $10. (F. & D. No. 10894. I. S. Nos. 5901-r, 5910-r.)

On August 24, 1920, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Abraham Amber, of Kansas City, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 21 and September 24, 1918, respectively, from the State of Kansas into the State of Missouri, of quantities of shell eggs which were adulterated.

Examination, by the Bureau of Chemistry of this department, of the two consignments showed 100 per cent and 98 per cent, respectively, of inedible eggs, consisting of black rots, mixed or white rots, and moldy eggs.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On October 4, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of $10.

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

9792. Misbranding of Dr. Harper's anti-cholera tonic for hogs. U. S. * * * v. 36 Bottles, 47 Dozen Bottles, and 48 Bottles * * * of Dr. Harper's Anti-Cholera Tonic for Hogs. Default decrees finding product to be misbranded and ordering its destruction. (F. & D. Nos. 11496, 11497, 11678. I. S. Nos. 8463-r, 8464-r, 8740-r. S. Nos. C-1562, C-1595.)

On October 10 and November 21, 1919, respectively, the United States attorney for the Western District of Arkansas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 36 bottles, 47 dozen bottles, and 48