

catarrh of the stomach, anæmia, and loss of flesh; that the hot toddy was effective as a treatment, remedy, and cure for indigestion, sick headache, jaundice, stomach ache, diarrhea, rheumatism, backache, neuralgia, hay fever, catarrh, asthma, la grippe, painful, suppressed, and irregular menstruation, headache, nausea, palpitation of the heart, blood, skin, kidney, and bladder diseases, raw or sore coat to the stomach, hardened or solidified callous liver, sore upper bowel, and weak, feverish, debilitated condition of the whole system; that the kidney and bladder tablets were effective as a treatment, remedy, and cure for backache, weak back, dropsy, congestion of the kidneys, inflammation of the bladder, scalding urine, and urinary troubles; that the treatment for piles was effective as a treatment for piles of every kind; that the female suppositories were effective as a treatment, remedy, and cure for leucorrhea or whites, lacerations, ulcerations, and all discharges from the vagina or uterus; that the rheumatic remedy was effective as a treatment, remedy, and cure for rheumatism, gout, lumbago, swollen or tender joints, crick in the back, stiff neck, pain in the side, and acute and inflammatory rheumatism; that the pennyroyal and tansy compound was effective as a treatment, remedy, and cure for suppressed, irregular, and painful menstruation; that the preparation for specific blood poison was effective as a treatment, remedy, and cure for specific blood poison or constitutional syphilis; and that the Grip-Malarine was effective as a treatment, remedy, and cure for grip, coughs, bronchitis, catarrh, malaria chills and fever, neuralgia, and malarial headache, when, in fact and in truth, the said articles contained no ingredients or medicinal agents effective for the purposes named. Misbranding was alleged with respect to the dyspepsia tablets for the further reason that the statement, to wit, "A purely vegetable remedy, free from all * * * mineral * * *," contained in the circular accompanying the said article, was false and misleading in that it represented that the article was a purely vegetable remedy free from all mineral, whereas, in truth and in fact, it was not a purely vegetable remedy free from all mineral, but was a product which contained bicarbonate of soda, a mineral substance.

On April 4, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$60 and costs.

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

9831. Adulteration and misbranding of vinegar. U. S. * * * v. 3 Barrels and 2 Barrels of Vinegar. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 13850, 13851. I. S. Nos. 6410-t, 6409-t. S. Nos. E-2857, E-2858.)

On December 16, 1920, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 3 barrels and 2 barrels of vinegar, at Netcong and Oxford, N. J., respectively, alleging that the article had been shipped by the Kistler Vinegar Works, Stroudsburg, Pa., on or about August 28 and 31, 1920, respectively, and shipped from the State of Pennsylvania into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Barrel) " * * * Pure Fermented Apple Cider Vinegar Reduced to 40 grains acid strength. Made by the Kistler Vinegar Works, Stroudsburg & Bethlehem, Pa. Unitus Brand."

Adulteration of the article was alleged in the libels for the reason that waste vinegar had been mixed and packed with, and substituted wholly or in part for, the said article.

Misbranding was alleged for the reason that the statement, to wit, "Pure Fermented Apple Cider Vinegar," regarding the article and the ingredients and

substances contained therein, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On May 24, 1921, the Kistler Vinegar Works, Stroudsburg, Pa., claimant, having consented to decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product be not shipped or sold unless rebranded and properly marked.

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

9832. Misbranding of Parry's Vegetable Compound No. 4. U. S. * * * v. 5 Bottles * * * of Parry's Vegetable Compound No. 4. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 13864. I. S. No. 1428-t. S. No. C-2579.)

On November 15, 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 5 bottles, more or less, of Parry's Vegetable Compound No. 4, at Negley, Ohio, alleging that the article had been shipped by the Parry Medicine Co., Pittsburgh, Pa., on or about March 30, 1920, and transported from the State of Pennsylvania into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Cancer * * * For Stomach, Bowel Trouble, Black Plague and Leprosy."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained olive oil, alcohol, water, and oils of cloves and peppermint.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effects were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed. Misbranding was alleged for the further reason that the statement on the label, to wit, "All goods guaranteed under the Pure Food and Drugs Act of June 30, 1906," was false and misleading.

On May 20, 1921, the Parry Medicine Co., Pittsburgh, Pa., having filed its claim and answer and the case having come on for final disposition, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act, conditioned in part that the said product be relabeled in a manner satisfactory to this department.

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

9833. Misbranding of Patten's Lightning salve. U. S. * * * v. John H. Patten (J. H. Patten). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 13918. I. S. No. 9253-r.)

On March 4, 1921, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John H. Patten, trading as J. H. Patten, Mountain View, Mo., alleging that on or about November 25, 1919, the said defendant had sold, under a guarantee that