

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