

9860. Misbranding of Hall's catarrh medicine. U. S. * * * v. 211 Bottles of Hall's Catarrh Medicine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14033. Inv. No. 24931. S. No. E-2929.)

On December 15, 1920, the United States attorney for the Middle District of Pennsylvania, 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 211 bottles of Hall's catarrh medicine, remaining unsold in the original unbroken packages at Scranton, Pa., alleging that the article had been shipped by F. J. Cheney and Co., Toledo, Ohio, on or about May 21, 1920, and transported from the State of Ohio into the State of Pennsylvania, 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 a solution in water of alcohol, potassium iodid, sugar, bitter plant extractives, and cardamom flavor.

Misbranding of the article was alleged in the libel for the reason that the following statements appearing on the label of the bottle containing the said article and in the accompanying booklet, regarding the curative and therapeutic effects thereof, to wit, (bottle) "Hall's Catarrh Medicine * * * valuable in the treatment of catarrh * * *," (booklet) "* * * For Catarrh of the Nasal Cavity, Catarrh of the Ear, Throat, Stomach, Bowels or Bladder. * * * a Blood Purifier * * *," were false and fraudulent, inasmuch as the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 27, 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.*

9861. Adulteration and misbranding of Razzle Dazzle. U. S. * * * v. 8 Gallons * * * and 16 Gallons of * * * Razzle Dazzle * * *. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14037, 14126. I. S. Nos. 1578-t, 1583-t. S. Nos. C-2606, C-2651.)

On December 17, 1920, and January 3, 1921, respectively, the United States attorney for the Northern District of Ohio, 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 8 gallons and 16 gallons of Razzle Dazzle, at St. Henry, Ohio, alleging that the article had been shipped by the Honey Boy Cordial Co., St. Louis, Mo., on or about October 11 and November 9, 1920, respectively, and transported from the State of Missouri into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, (kegs) "Honey Boy Brand 16 Gallons Non-Alcoholic Cordial Razzle Dazzle * * *"

Adulteration of the article was alleged in substance in the libels for the reason that an artificially colored product sweetened with saccharin and preserved with undeclared benzoate of soda had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and had been substituted in part for a non-alcoholic cordial, which the article purported to be. Adulteration was alleged for the further reason that the article contained an added poisonous or other deleterious ingredient, namely, saccharin, which might render it injurious to health. Adulteration was alleged with respect to the product involved in the consignment of November 9, 1920, for the further