

broken packages at Los Angeles, Calif., alleging that the article had been shipped by Dr. W. S. Burkhart, Cincinnati, Ohio, in part on April 19, 1920, and in part on June 30, 1920, and transported from the State of Ohio into the State of California, 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 consisted essentially of aloes, podophyllum, and capsicum, in sugar-coated tablets.

Misbranding of the article was alleged in substance in the libel for the reason that the following curative and therapeutic effects were claimed on the cartons containing the said article, (small and medium sizes) "* * * Recommended for Kidney and Liver Disease, Fever and Ague, Rheumatism, Sick and Nervous Headache, Erysipelas, Scrofula, Female Complaints, Catarrh, Indigestion, Neuralgia, Nervous Affection, Dyspepsia * * * and all Syphilitic Diseases * * *," (large size) "* * * Recommended for Blood Diseases, such as Rheumatism, Kidney and Liver Diseases, Fever and Ague, Sick and Nervous Headache, Erysipelas, Scrofula, Female Complaints, Catarrh * * * Indigestion, Neuralgia, Nervous Affection, Dyspepsia. * * *," which statements regarding the said article were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed.

On August 17, 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 disposed of according to law. The product was destroyed by the United States marshal.

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

9973. Misbranding of cottonseed cake. U. S. * * * v. W. Preston Battle (W. P. Battle & Co.). Plea of nolo contendere. Fine, \$25 and costs. (F. & D. No. 13173. I. S. No. 12042-r.)

On October 30, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against W. Preston Battle, trading as W. P. Battle & Co., Memphis, Tenn., alleging shipment by said defendant, on or about February 24, 1919, in violation of the Food and Drugs Act, as amended, from the State of Tennessee into the State of Kansas, of a quantity of unlabeled cottonseed cake which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 11, 1921, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$25 and costs.

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

9974. Misbranding of Gold Medal compound pennyroyal pills. U. S. * * * v. 12 Packages of * * * Gold Medal Compound Pennyroyal Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13505. I. S. No. 10036-t. S. No. W-713.)

On September 1, 1920, the United States attorney for the Southern 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 12 packages of Gold Medal compound pennyroyal pills, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the S. Pfeiffer Mfg. Co., St. Louis, Mo., on or about