7365. Misbranding of Texas Wonder. U. S. * * * v. 6 Dozen Packages of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10903. I. S. No. 7167-r. S. No. C-1393.)

On July 21, 1919, 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 a libel for the seizure and condemnation of 6 dozen packages of Texas Wonder, at Memphis, Tenn., alleging that the article had been shipped on or about July 5, 1919, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "The Texas Wonder, for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children;" (bottle) "A Texas Wonder for Kidney and Bladder Troubles. E. W. Hall, St. Louis, Mo. * * * The Texas Wonder contains 43 per cent alcohol * * *;" (Testimonial of Louis A. Portner in circular) " * * * he began using The Texas Wonder for stone in the kidneys, inflammation of the bladder and tuberculosis of the kidneys * * *. His Urine contained 40% pus. * * * was still using the medicine with wonderful results, and his weight had increased * * *."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged for the reason that the statements above quoted, appearing on the packages and bottles, and included in the circular accompanying the article, were false and fraudulent and calculated to mislead the purchaser thereof in that the article contained no ingredient or combination of ingredients capable of producing the curative effects claimed for it.

On December 15, 1919, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

7366. Misbranding of Dr. Sanger's Capsules. U. S. * * * v. 34 Cartons of Dr. Sanger's Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10904. I. S. No. 2976-r. S. No. W-454.)

On August 2, 1919, 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 34 cartons of Dr. Sanger's Capsules, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped on or about June 18, 1919, by the Edward J. Moore Sons, New York, N. Y., and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Dr. Sanger's Capsules * * *"; (circular) "* * * Dr. Sanger's Capsules * * * for Diseases Pertaining to the Mucous Membranes * * * Besides the effectiveness with the diseases used for, this medicine will not upset the stomach or hurt the system. * * * The combined curative powers of these vegetable compounds have proved to be very effective. Their healing qualities act upon the mucous membranes from the bladder out through the other organs. * * * Cystitis. * * * For treatment * * * Take one capsule three times per

day, one before each meal, until the trouble has disappeared. Cystirrhoea or Catarrh of the Bladder. * * * To reduce the active symptoms take three capsules per day, * * * Retention of Urine. * * * Take three capsules per day, one before each meal, until the disorder subsides. Leucorrhoea. * * * frequently Dr. Sanger's Capsules have procured favorable results by their healing action on the mucous membranes * * *"

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, cubebs, santal oil, matico, licorice root, and magnesium oxid.

Misbranding of the article was alleged in the libel for the reason that the foregoing statements, borne in the circular accompanying the article, were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it.

On October 23, 1919, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

7567. Adulteration and misbranding of olive oil. U. S. * * * v. 71 Cases of Alleged Italian Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10917. I. S. No. 2980-r. S. No. W-458.)

On August 11, 1919, 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 71 cases of alleged Italian olive oil, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped on or about July 9, 1919, by Strohmeyer & Arpe Co., New York, N. Y., and transported from the State of New York into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Marca Vita Olio Puro d'Oliva, Prodotto D'Italia * * * Pure Olive Oil Product of Italy."

Adulteration of the article was alleged in the libel for the reason that Spanish olive oil had been substituted wholly or in part for Italian olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, designs, and devices, borne on the labels of the cans and cases, were false and misleading, and deceived and misled the purchasers into the belief that the product was olive oil of Italian origin, whereas it was Spanish olive oil.

On August 27, 1919, the said Strohmeyer & Arpe Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of $2,500, in conformity with section 10 of the act, conditioned in part that the product should be relabeled under the supervision of a representative of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

7568. Misbranding of White Swan Injection. U. S. * * * v. 11 Bottles of White Swan Injection. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11019. I. S. No. 2197-r. S. No. W-448.)

On July 24, 1919, 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