

costs of said proceedings and the execution of bonds in the sums of \$250 and \$200, in conformity with section 10 of the act.

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

**7727. Misbranding of Prescription 1000. U. S. \* \* \* v. 10 Bottles of Prescription 1000. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10393. I. S. No. 13953-r. S. No. E-1468.)

On or about May 31, 1919, the United States attorney for the Northern District of New York, 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 condemnation and forfeiture of 10 bottles of Prescription 1000, remaining unsold in the original unbroken packages at Albany, N. Y., alleging that the article had been shipped on or about March 22, 1919, by the Reese Chemical Co., Cleveland, Ohio, and transported from the State of Ohio into the State of New York, and charging misbranding under the Food and Drugs Act, as amended.

Analyses of samples of the product made in the Bureau of Chemistry of this department showed that it consisted essentially of a slightly alkaline emulsion of copaiba balsam.

Misbranding of the article was alleged in substance in the libel for the reason that the statements appearing on the cartons and in the circular accompanying the article, regarding the curative and therapeutic effects of the article and of the ingredients and substances contained therein, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gleet, gonorrhœa, bladder troubles, frequent urination, inflammation, obstinate cases of gonorrhœa and gleet, where the patient desires immediate relief, whereas, in truth and in fact, it was not.

On June 21, 1919, no claimant having appeared for the property, a default decree 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.*

**7728. Misbranding of Capitol Hog Remedy. U. S. \* \* \* v. 9 Packages of Capitol Hog Remedy. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12431. I. S. No. 16832-r. S. No. E-2087)

On May 3, 1920, the United States attorney for the Eastern 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 9 bottles of Capitol Hog Remedy, remaining unsold in the original unbroken packages at Nazareth, Pa., alleging that the article had been shipped on or about November 22, 1919, from Tiffin, Ohio, consigned by the Capitol Food Co., Tiffin, Ohio, 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 consisted essentially of sodium chlorid, sodium carbonate (or bicarbonate), magnesium sulphate, ferrous sulphate, quassia, nuxvomica, charcoal, flaxseed, wormseed, and oil-cake meal.

Misbranding of the article was alleged in the libel in that the statements regarding the curative or therapeutic effects of the article and the ingredients or substances contained therein, to wit, "**\* \* \* Capitol Hog Remedy \* \* \* A Superior \* \* \* Remedy for Swine, Recommended for Hog Cholera, Scrofula, Inflammatory and all contagious Diseases peculiar to Swine; purifies**

the blood; \* \* \*. Contains such medicines as are actually required to cure and prevent diseases among swine. It is sold on a cash guarantee to cure hog cholera, scrofula and all contagious diseases among swine. Purifies the blood, cures indigestion \* \* \* and produces an extraordinary rapid growth. \* \* \* A wonder in the development of swine. Recommended to cure and prevent diseases, produces an extraordinary rapid growth \* \* \*. Recommended to cure and prevent Hog Cholera and all contagious diseases peculiar to Swine; \* \* \* restores Hogs to a good healthy condition \* \* \*. It will cost you thirty-six cents to feed Capitol Hog Remedy to one Hog regularly for three months, thus insuring no loss whatever from Cholera or any other disease, \* \* \* Swine are very susceptible to scrofula, inflammatory and contagious diseases, commonly known as the Swine Plague (Hog Cholera). \* \* \* Hog cholera once established in a herd runs a very rapid course, death resulting in a very short time. Unless you begin treatment at once you are in constant danger of severe losses, \* \* \*. For Fattening Hogs.—Give one tablespoonful to two or three Hogs or Shoats twice per day. This will keep them free from disease and prepare them for the market in a very short time. \* \* \* For Hog Cholera.—As soon as you notice that Hog Cholera has begun on your herd, \* \* \* give from two or three tablespoonfuls of Capitol Hog Remedy three times a day for each Hog. \* \* \* If already diseased increase at once to three and even four tablespoonfuls \* \* \*. To secure best results, you should procure a supply at once and continue its use once or twice per day regularly; this will net you a price profit, besides keeping your Hogs free from Cholera and all other diseases. \* \* \* Capitol Hog Remedy insures health \* \* \*," were false and fraudulent, in that the said article would not produce the curative or therapeutic effects which purchasers were led to expect by the statements which were applied to the said article with a knowledge of their falsity for the purpose of defrauding purchasers of the article.

On May 26, 1920, 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.*

**7729. Adulteration of milk. U. S. \* \* \* v. St. Louis Dairy Co., a Corporation. Plea of nolo contendere to count 1 of the indictment. Fine, \$100 and costs. Remaining counts of indictment dismissed. (F. & D. No. 10342. I. S. No. 9326-p.)**

On October 9, 1919, the Grand Jurors of the United States of America within and for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for the district aforesaid an indictment in 7 counts against the St. Louis Dairy Co., a corporation, St. Louis, Mo., charging shipment by said company in the first count of said indictment, in violation of the Food and Drugs Act, on September 10, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained added water, and that it was dirty by the sediment test.

Adulteration of the article was charged in the indictment for the reason that a certain substance, to wit, added water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and for the further reason that a certain substance, to wit, water, had been substi-