

On March 17, 1920, 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.*

7879. Adulteration of dried Lima beans. U. S. * * * v. 2,964 Bags of Dried Lima Beans. Consent decree of condemnation and forfeiture. Goods ordered released under bond. (F. & D. No. 12259. I. S. Nos. 9022-r, 9023-r, 9024-r, 9025-r, 9026-r. S. No. C-1793.)

On March 2, 1920, the United States attorney for the Eastern District of Missouri, 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 2,964 bags of dried Lima beans, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by Adolph Goldmark & Sons, Inc., New York, N. Y., in 4 shipments, to wit, 500 sacks January 21, 1920, 1,000 sacks January 9, 1920, 1,000 sacks January 20, 1920, and 464 sacks January 23, 1920, and transported from the State of New York into the State of Missouri, and charging adulteration under the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that the product consisted in whole or in part of a filthy and decomposed vegetable substance.

On March 19, 1920, Adolph Goldmark & Sons, Inc., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that such portion of said product as was unfit for food be destroyed, and that such portion as was not adulterated and not unfit for food be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$5,000, in conformity with section 10 of the act.

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

7880. Misbranding of D. D. D. Remedy for Eczema. U. S. * * * v. 142 Bottles of D. D. D. Remedy for Eczema * * * Ordinary Strength and 30 Bottles of D. D. D. Remedy for Eczema * * * Extra Strong. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12260. I. S. Nos. 18344-r, 18348-r. S. No. E-2004.)

On or about March 3, 1920, the United States attorney for the District of Maine, 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 142 bottles of D. D. D. Remedy for Eczema * * * Ordinary Strength, and 30 bottles of D. D. D. Remedy for Eczema * * * Extra Strong, remaining unsold in the original unbroken packages at Portland, Me., alleging that the article had been shipped on or about August 27, 1919, by the D. D. D. Co., Chicago, Ill., and transported from the State of Illinois into the State of Maine, and charging misbranding under the Food and Drugs Act. The article was labeled in part, "D. D. D. Remedy for Eczema * * * Ordinary Strength" and "D. D. D. Remedy for Eczema * * * Extra Strong."

Analyses of samples of the product by the Bureau of Chemistry of this department showed that it consisted essentially of a solution of phenol, oil of sassafras, methyl salicylate, salicylic acid, and chloral hydrate in alcohol and water.

Misbranding of the article was alleged in the libel for the reason that the packages contained certain statements regarding the curative and therapeutic

effects of said article as follows: "D. D. D. Prescription for the Skin and Scalp * * * Pimples on Face, Red Nose, Barber's itch D. D. D. Remedy for Eczema and Diseases of the skin and scalp * * * Pimples on face, Red Nose, Barber's itch * * * Eczema Psoriasis Pimples Tetter * * * Salt Rheum * * * Dandruff Ivy Poison Hives Itching Piles * * * Itch Barber's Itch, Dermatitis Herpes Sycosis Ordinary Strength To subdue eczema and skin diseases * * * Use D. D. D. The lotion for skin disease. * * * In nearly all instances D. D. D. gives relief at once * * * It is indeed true that the first or second full size bottle will relieve the itch and will be found to be sufficient in the majority of cases of skin disease. In practically all cases the fourth or fifth or at the very most the sixth bottle will plainly indicate to the patient that he is on the road to recovery * * * Continue the use of D. D. D. prescription until the desired results are obtained * * * D. D. D. is a treatment. * * * The most common forms of skin diseases successfully treated by D. D. D. Eczema (salt rheum, tetter) * * * D. D. D. Remedy for Eczema and Diseases of the skin * * * for cases of Chronic Dry Eczema and Psoriasis confined to the trunk of the body, arms, and legs, which do not respond to treatment with D. D. D. Ordinary," which said statements were false and fraudulent in that said article contained no ingredient or ingredients capable of producing the therapeutic or curative effects claimed for it by the said statements.

On March 23, 1920, 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.*

7881. Adulteration of oysters. U. S. * * * v. J. & J. W. Elsworth Co., a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 12296. I. S. Nos. 13380-r, 13745-r.)

On or about April 17, 1920, the United States attorney for the Southern 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 an information against the J. & J. W. Elsworth Co., a corporation, New York, N. Y., alleging shipment by said defendant company, on or about January 15 and January 28, 1919, in violation of the Food and Drugs Act, from the State of New York into the State of Pennsylvania, of quantities of oysters which were adulterated.

Analyses of samples of the product by the Bureau of Chemistry of this department showed that it had been soaked with water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed with the article so as to lower, reduce, and injuriously affect its quality and strength.

On April 21, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

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

7882. Adulteration and misbranding of olive oil. U. S. * * * v. George P. Papadopoulos. Plea of guilty. Fine, \$100. (F. & D. No. 12308. I. S. No. 11912-r.)

On April 21, 1920, the United States attorney for the Southern 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 an information against George P. Papadopoulos, New York, N. Y., alleging shipment by said defendant,