

United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS.

SUPPLEMENT.

N. J. 8201-8250.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., January 19, 1921.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

S201. Adulteration of shell eggs. U. S. * * * v. Leander A. Goodwin et al. (Goodwin & Jean). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 8878. I. S. No. 8503-p.)

On May 23, 1918, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Leander A. Goodwin and Robert F. Jean, trading as Goodwin & Jean, Batesville, Ark., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about July 26, 1917, from the State of Arkansas into the State of Missouri, of a quantity of shell eggs which were adulterated.

Examination of a sample of the article consisting of 1 case of 30 dozen eggs by the Bureau of Chemistry of this department showed that 180 eggs, or 50 per cent, were inedible.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On April 12, 1920, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$10 and costs.

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

S202. Misbranding of pears. U. S. * * * v. Albert Ellis and William J. Ellis (Wm. J. Ellis & Co.). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 10782. I. S. No. 5810-r.)

On March 6, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Albert Ellis and William J. Ellis, copartners, trading as Wm. J. Ellis & Co., Chicago, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about August 28, 1918, from the State of Michigan into the State of Illinois, of a quantity of pears which were misbranded, and that

said defendants, having received said pears in the original packages, offered the same for delivery to the general public at Chicago, Ill., on the same date, in further violation of said act. The pears were in unlabeled baskets.

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 in terms of weight, measure, or numerical count.

On June 22, 1920, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$10 and costs.

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

8203. Misbranding of Beecham's Pills. U. S. * * * v. 3 Gross Packages * * * of Beecham's Patent Pills. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10908. I. S. No. 7719-r. S. No. C-1396.)

On or about August 4, 1919, the United States attorney for the Western 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 3 gross packages, more or less, of Beecham's Patent Pills, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped on or about June 20, 1919, by the B. F. Allen Co., Chicago, Ill., and transported from the State of Illinois into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Beecham's Patent Pills * * * Sold by the Proprietor, St. Helens, Lancashire, England."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills were composed essentially of aloes and ginger, and were coated with talc.

Misbranding of the article was alleged in the libel for the reason that the label affixed to the packages thereof as aforesaid, bearing the statement aforesaid, regarding said drug product, was false and misleading and was designed and intended to represent that the article was manufactured or produced in England, whereas, in truth and in fact, it was not manufactured or produced in England, but was manufactured or produced in the United States of America; and for the further reason that the false and misleading label aforesaid bearing the false and misleading statement aforesaid was designed and intended to mislead and deceive and constituted a misbranding of the packages of the drug product as aforesaid. It was alleged in substance in the libel that the article was misbranded for the further reason that the following statements in the circular enclosing and affixed to each of the packages of the article, regarding the curative and therapeutic effects thereof, were false and fraudulent in that the drug product did not contain any ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it in said statements: (Circular with the 25-cent-size retail package, statement of Thomas Beecham) " * * * Accumulated experience, all the world over, has declared them to be the most reliable Family Medicine procurable; and whenever tried, they have been permanently adopted as the specific to be depended on for defeating those evils which usually assail health in our daily lives, and, if taken in time, they will ward off many a serious illness. * * *;" (page 1) " * * * The Blood. * * * but we may all, by the aid of Beecham's Pills keep important organs of the body in working order, and by due attention to simple hygiene maintain ourselves in the highest degree of health permitted by our circumstances in life. * * * In the first place, it is desirable that those who take the Pills should abstain