

**8448. Misbranding of Milks Emulsion. U. S. \* \* \* v. 6½ Dozen, More or Less, Large Bottles and 12 Dozen, More or Less, Small Bottles, of Milks Emulsion. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 11392. I. S. Nos. 15119-r, 15120-r. S. No. E-1799.)

On October 8, 1919, the United States attorney for the Middle 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 6½ dozen large bottles and 12 dozen small bottles of Milks Emulsion, at Harrisburg, Pa., alleging that the article had been shipped on or about July 20, 1919, and August 8, 1919, by the Milks Emulsion Co., Terre Haute, Ind., and transported from the State of Indiana 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 mainly of petrolatum with small amounts of glycerin, sirup, and methyl salicylate.

Misbranding of the article was alleged in the libel in that certain statements appearing on the label, regarding the curative and therapeutic effects of the article, falsely and fraudulently represented the article to be effective as a remedy for dyspepsia, indigestion, catarrh of stomach and bowels, bronchial asthma, catarrhal croup, bronchitis, and especially beneficial in incipient consumption, whereas, in truth and in fact, it was not. Further misbranding was alleged in that the statement in the booklet accompanying the article, regarding the article, to wit, "Contains a great amount of fat," was false and misleading in that the article contained no fat. Further misbranding was alleged in that the statements on the cartons inclosing the article, regarding it, to wit, "Net weight twenty-two ounces" and "Net weight twelve ounces," respectively, were false and misleading in that the contents of the article in the respective packages were less than 22 ounces and less than 12 ounces.

On December 1, 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.*

**8449. Misbranding of Antibrule. U. S. \* \* \* v. 15 Bottles of Antibrule. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 11825. I. S. No. 7344-r. S. No. C-1641.)

On or about December 22, 1919, the United States attorney for the Middle 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 15 bottles of Antibrule, remaining in the original unbroken packages at Nashville, Tenn., alleging that the article had been shipped by the Crescent Chemical Co., Ft. Worth, Texas, on or about June 30, 1919, and transported from the State of Texas into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Antibrule \* \* \* Analgesic, Anodyne, Antiseptic, Antipyretic, \* \* \* A Remedy for Croup, Tonsillitis, Carbuncles, Gonorrhœa, Leucorrhœa, Varicose Veins, Ulcers \* \* \* Recommended for Eczema, Erysipelas, Nasal Catarrh and Itching Piles."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an aqueous solution of picric acid containing small amounts of picrates.

Misbranding of the article was alleged in substance in the libel for the reason that the labels on the bottles contained the above-quoted statements, regarding

the curative and therapeutic effects of said article, which were false and fraudulent in that the product contained no ingredient or combination of ingredients capable of producing the effects claimed in said statements.

On July 8, 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.*

**S450. Adulteration of tomato paste. U. S. \* \* \* v. 10 Cases, Each Containing 200 Cans of Tomato Paste. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 8913. I. S. No. 1225-p. S. No. E-1008.)

On April 1, 1918, the United States attorney for the Middle 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 a certain quantity of an article, labeled in part "Tomato Paste," at Hazelton, Pa., alleging that the article had been shipped on or about November 15, 1917, by Potts & Kaufmann (Inc.), Perth Amboy, N. J., and transported from the State of New Jersey into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that it consisted in whole or in part of filthy, decomposed tomato paste.

On January 19, 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.*