

District Court of the United States for said district a libel praying seizure and condemnation of 3,825 quarter-pound tins of chloroform, remaining in the original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped from Philadelphia, Pa., in various consignments, on or about January 5, 12, 13, 14, and 21, 1922, respectively, and transported from the State of Pennsylvania into the State of New York, and charging adulteration in violation of the food and drugs act.

Analyses of samples of the article by this department showed that it was turbid, upon evaporation it left a foreign odor, and it contained impurities decomposable by sulphuric acid, and chlorinated decomposition products.

It was alleged in the libel that the article was adulterated in that it was sold under and by a name recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the test laid down in said pharmacopoeia official at the time of investigation.

On August 3, 1929, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16589. Misbranding of 999 nerve tonic and Prescription 999. U. S. v. 23 Packages of 999 Nerve Tonic, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22731. I. S. Nos. 25118-x, 25119-x. S. No. 598.)

On May 3, 1928, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 23 packages of 999 nerve tonic and 8 packages of Prescription 999 at Oklahoma City, Okla., alleging that the articles had been shipped by the Combination Remedy Co., Pittsburgh, Pa., in part on or about August 22, 1927, and in part on or about October 24, 1927, and transported from the State of Pennsylvania into the State of Oklahoma, and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the articles by this department showed that the Prescription 999 consisted of gelatin capsules containing nutmeg, santal, and cubeb volatile oils, copaiba, and a fatty oil; and the 999 nerve tonic consisted of capsules containing zinc phosphide, calcium sulphate, and extracts of nux vomica and damiana.

It was alleged in the libel that the articles were misbranded in that the following statements regarding the curative and therapeutic effects of the said articles were false and fraudulent, since they contained no ingredients or combinations of ingredients capable of producing the effects claimed: (Prescription 999, box label) "Recommended for kidney and bladder disorders. This Medicine is a combination of Oil, Sandalwood Oil, Cubebs, Copaiba and other valuable Vegetable Oils which are known to give the best results in treating the disease for which this medicine is intended * * * after all signs of the disease have disappeared;" (999 nerve tonic, box label) "Nerve Tonic. The Ingredients from which these capsules are compounded have been used and prescribed for years for rundown systems and nervous disorders;" (display carton) "999 Nerve Tonic Means Pep, Vim, Vigor. 999 Nerve Tonic is a high class remedy for anyone with that tired, rundown feeling. It is especially suited for those cases where the person doesn't have the pep they think they should have."

On November 14, 1928, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16590. Misbranding of Goodwin's Cold Breakers. U. S. v. 17½ Dozen Packages of Goodwin's Cold Breakers. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23424. I. S. No. 03489. S. No. 1623.)

On February 25, 1929, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 17½ dozen packages of Goodwin's Cold Breakers, remaining in the original packages at Wheeling, W. Va., alleging that the article had been shipped by the Senoret Chemical Co., from St. Louis, Mo., on or about December 24, 1928, and transported from the State of Missouri into the State