

Adulteration of the article was alleged in the libels for the reason that glucose had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding of the article was alleged for the reason that it was an imitation of or offered for sale under the distinctive name of another article and for the further 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.

On April 14, 1924, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be sold or destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12286. Misbranding of Porose pills, Lozon pills, Lafayette headache powders, and Lafayette pain anodyne. U. S. v. 27 Packages et al., of Porose Pills, Lozon Pills, Lafayette Headache Powders, and Lafayette Pain Anodyne. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 18183, 18184, 18191, 18192, 18204, 18205, 18206, 18207. S. Nos. E-4650, E-4655, E-4656, E-4657, E-4659, E-4661, E-4663, E-4668.)

On December 21 and 27, 1923, respectively, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the district court of the United States for said district libels praying the seizure and condemnation of 61 packages of Porose pills, 35 packages of Lozon pills, 78 packages of Lafayette headache powders, and 17 packages of Lafayette pain anodyne, remaining in the original unbroken packages in various lots at Worcester, Boston, and Turner Falls, Mass., respectively, alleging that the articles had been shipped by the Lafayette Co. from Berlin, N. H., between the dates of August 22, 1922, and December 3, 1923, and transported from the State of New Hampshire into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Porose pills consisted essentially of extracts of plant drugs, including cascara sagrada, nux vomica, and oily matter, iron carbonate, and small amounts of sodium, arsenic, and sulphate, coated with sugar and calcium carbonate and colored red; that the Lozon pills consisted essentially of extracts of plant drugs, including cascara sagrada and nux vomica, iron carbonate, and a little arsenic, coated with sugar, calcium carbonate, and iron oxide; that the Lafayette headache powders consisted essentially of acetanilide, caffeine, sodium bicarbonate, and aromatics, including cinnamon and ginger; and that the Lafayette pain anodyne consisted essentially of spearmint and cassia oils, camphor, capsicum extract, alcohol, and water.

Misbranding of the articles was alleged in substance in the libels for the reason that the labeling bore statements regarding the curative and therapeutic effects of the said articles, to wit, (Porose pills) (carton, English and French) "For Girls And Women Of All Ages * * * For Weak Women Of All Ages," (box and wrapper, English and French): "A special French remedy for ladies and young girls * * * quiets nervous and sleepless persons * * * for the critical age of both mothers and daughters and all women's complaints in general," (circular, English and French) "for ladies * * * Women * * * weakened by various diseases, * * * are returned to perfect health by the use of Porose Pills. * * * for women's diseases. * * * effective in diseases caused by anemia, such as general weakness of the body * * * delayed or painful periods (menses,) womb troubles, leucorrhoea (whites,) backache, pain in the sides, palpitation of the heart, general debility * * *, irritation and nervousness. In general, suffering of women complaints of any kind, caused by the change of life and the critical age of young women, or any complaints that give a sickly appearance ought to use Porose Pills, which will render them their health and good looks * * * their curative power * * * permanent cure * * * curative effect * * * For pale or weak young ladies suffering of * * * any * * * complaint particular to women, Porose Pills are an invaluable remedy, which will return to them the color and complexion indicating perfect health * * * Most women complaints are caused by delayed or even suppressed * * * (menses,) * * * irregular uterine functions * * * the best of regulating tonics for all women complaints * * * Puberty Or Change Of Age * * * At the critical stage in life of any young woman

Porose Pills will furnish the necessary vitality to conquer the weakness torpor (numbness) that characterizes that age * * * Irregular Periods (Menses) * * * Pregnancy And Maternity * * * will strengthen and facilitate greatly the confinement * * * Leucorrhœa (Whites) * * * unequalled for the treatment of this complaint * * * Womb Troubles * * * Indigestion And Sour Stomach * * * Dyspepsia * * * Kidney trouble is invariably relieved;" (Lozon Pills) (box) "Restores Vitality to weak men, whether lost by impure blood, excesses of any kind, old age or sickness; * * * especially recommended as a * * * blood purifier, for overworked or run down system. They will * * * assist digestion, stimulate the kidneys and tone up weak men, thereby giving strength and new life." (box wrapper) "For Men's Health * * * a * * * blood purifier, * * * for the overworked or run down system, * * * will * * * assist digestion and tone up weak men" (similar statements in French on both box label and box wrapper); (Lafayette headache powders) (English) "Headache * * * Reliable Reliever * * * Relieve Nervous & Billious Headache, Neuralgia, Sleeplessness, Colds With Fever, La Grippe, Mental Exhaustion and Sour Stomach," (on a portion of the said boxes, in English) "Headaches Promptly Relieved," (a portion of the boxes containing the said headache powders were further labeled, in French) "allay all pains in the head; all kinds of neuralgia, heaviness of the head, nonchalance, apathy resulting from intellectual overwork, from loss of sleep or from a bad digestion. * * * effectively alleviate grippe accompanied or not with fever;" (Lafayette pain anodyne) (bottle, English) "Pain Anodyne * * * Kills Your Pain Internally and Externally. For the relief of Rheumatism, Sore Throat, Coughs, Colds, Chills, * * * Diarrhoea, Colic, Cholera Morbus, Painful Menstruation, Stiff Joints, * * * Neuralgia, * * * Burns, Backache * * * Will relieve pain of any kind. * * * to be repeated every hour until relieved," (French) "For Rheumatism, Coughs, Chills * * * Cholera, Colics, painful Menstruation, * * * Cold in the Head * * * Sore Throat * * * Burns * * * Stiff Joints, Neuralgia," which were false and fraudulent, in that they represented falsely and fraudulently to purchasers thereof that the said articles contained ingredients or combinations of ingredients capable of producing the curative and therapeutic effects claimed when, in truth and in fact, they did not.

On April 3, 1924, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12287. Adulteration and misbranding of macaroni. U. S. v. 8 Boxes of Macaroni. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 18285. I. S. No. 12122-v. S. No. W-1472.)

On February 2, 1924, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the district court of the United States for said district a libel praying the seizure and condemnation of 8 boxes, 20 pounds each [4 weighing 30 pounds each and 4 weighing 5 pounds each], of macaroni, remaining unsold in the original packages at Capulin, N. M., alleging that the article had been shipped by the Queen City Macaroni Manufacturing Co., from Denver, Colo.; January 12, 1924, and transported from the State of Colorado into the State of New Mexico, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Shipping package, larger size) "Golden West Brand * * * Manufactured and Guaranteed By Queen City Macaroni Mfg. Co. * * * Denver, Colo." (rubber stamp) "Artificially colored." (stencil) "Macaroni" and "Extra Fine Semolina Net Weight 20 Lbs." (Shipping package, smaller size) "Golden West Brand Macaroni Manufactured and Guaranteed By Queen City Macaroni Manufacturing Co. * * * Denver, Colo." (rubber stamp) "5 Lbs. Net."

Adulteration of the article was alleged in substance in the libel for the reason that it contained excessive moisture, which had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "Macaroni" was false and misleading and deceived and misled the purchaser.

On April 10, 1924, 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 sold by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*