12396. Misbranding of Nunn's black oil healing compound. U. S. v. 60 Small and 30 Large Packages of Nunn's Black Oil Healing Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16166. I. S. Nos. 10957-t, 10958-t. S. No. W-1076.)

On April 27, 1922, the United States attorney for the District of Oregon, 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 60 small and 30 large packages of Nunn's black oil healing compound remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Dr. Nunn's Black Oil Co. from Salt Lake City, Utah, September 12, 1921, and transported from the State of Utah into the State of Oregon, and charging misbranding in violation of the food and drugs act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture of a sulphurated vegetable oil and kerosene.

Misbranding of the article was alleged in the libel for the reason that the labeling bore the following statements regarding the curative and therapeutic effect of the said article, (small size) "A Safe, Speedy, Reliable Relief For * * * Fistulas, Withers, Poll Evil * * * Scalded Heads on Children, Skin Eruptions, also Colic * * * Coughs and Distemper in Horses and Cattle, Roup in Chickens, etc.," (large size) "A Safe, Speedy, Reliable Relief For * * * Fistulas, Withers, Poll Evil * * * Scalded Heads on Children, Skin Eruptions, also Colic * * * Coughs and Distemper in Horses and Cattle, Roup in Chickens, etc. * * * Coughs * * * and colic, one ounce every three hours is the usual effective dose * * * Colic * * * ninety per cent of cases are cured in twenty minutes, then quit," (circular, both sizes) "Teamster's Safeguard * * * Horse Coughing * * Horse got Distemper, Pink Eye, Etc., * * * Horse got Colic * * * Chicken got Roup * * * Stallions, give on tongue * * * Get well acquainted with the workings of this medicine * * * and remember anything on man or beast that has a sore of any description The Black Oil Is Your Doctor. Try It and Be Convinced * * *. Don't Let Your Chickens Die With Avian Diphtheria Known as Chicken Roup * * * While Avian Diphtheria is entirely different from the human form, cases are recorded where children have contracted serious and even fatal sore throat from this source * * * don't waste any time. Catch the fowl and give half teaspoonful to each chicken diseased in mouth and smear the whole head, once a day, for three days with Dr. Nunn's Black Oil Healing Compound," which were false and fraudulent since the said article contained no ingredients or combination of ingredients capable of producing the effects claimed.

On August 1, 1923, 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.

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

12397. Misbranding of coal-tar color. U. S. v. 2 Cans and 2 Cans of Coal-Tar Color. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14625. I. S. Nos. 3681-t. 3682-t. S. No. C-2863.)

On March 14, 1921, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel and on September 24, 1923, an amended libel praying the seizure and condemnation of 4 cans of coal-tar color remaining in the original unbroken packages at Gary, Ind., alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., on or about February 25, 1921, and transported from the State of Missouri into the State of Indiana, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "1 Lb. Net Manufacturing Chemists W. B. Wood Mfg. Co. * * * St. Louis, Mo. * * * Contents Yellow" (or "Contents Red").

Misbranding of the article was alleged in the amended libel for the reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser and bore said label and design regarding the substances contained therein, which were false and misleading in that excessive amounts of salt were contained in the article.

On November 23, 1923, 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.

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