

On April 13, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture*

15056. Misbranding of Malt-O-Cod. U. S. v. 703 Bottles of Malt-O-Cod. Default decree of condemnation, forfeiture, and destruction. D. No. 21710. I. S. No. 11824-x. S. No. C-5341.)

On March 8, 1927, the United States attorney for the Northern District of Ohio, 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 703 bottles of Malt-O-Cod, at Akron, Ohio, alleging that the article had been shipped by Fred Stearns, from Detroit, Mich., December 1926, and transported from the State of Michigan into the State of Ohio, charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (carton and bottle) "Malt-O-Cod * * * containing the active medicinal properties of Fresh Cod Livers * * * Health and Strength Giving * * * Stimulant to the Process of Digestion and Nutrition. Especially Valuable in the Convalescence of Wasting Diseases 'Flu,' Typhoid, and other Fevers, Diphtheria. A valuable aid in the treatment of Pulmonary Diseases, Hoarseness, Bronchitis, Obstinate Cough, Nephritis, Dyspepsia, Simple Anemia, Impure Blood, Weakness, Prostration and Debilitated Conditions Generally;" (carton) "The Wonderful Reconstructive * * * possessing the valuable properties of fresh cod livers without at the same time the latters' disagreeable features * * * does not, even to the most delicate produce stomach disturbances and other bad after effects that are so common with the use of cod liver oil in its crude state. * * * * * * * * * reconstructor and also a stimulant to the process of digestion and nutrition. Under its influences new and healthy tissue is built up and the resistance of the system to disease strengthened and fortified * * * valuable in the treatment of bronchitis, nervous debility, blood disorders, simple anemia, neuralgia, rheumatism, prostration, typhoid fever and other wasting diseases."

Analysis by this department showed that the article consisted essentially of sugar, alcohol and water, extracts of plant drugs, including quinine and strychnine, with compounds of phosphorus, iron, calcium, sodium, and potassium and a very small quantity of salicylates.

It was alleged in the libel that the article was misbranded, in that the article contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects described.

On April 21, 1927, 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.

W. M. JARDINE, *Secretary of Agriculture*

15057. Misbranding of phosphated iron. U. S. v. 7 Packages of Phosphated Iron. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21640. I. S. No. 14418-x. S. No. C-5107.)

On February 17, 1927, the United States attorney for the Eastern District of Wisconsin, 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 7 packages of phosphated iron, remaining in the original broken packages at Milwaukee, Wis., alleging that the article had been shipped by the Relief Laboratory, Inc., Newburgh, N. Y., in part January 15, 1926, and in part April 8, 1926, and transported from the State of New York into the State of Wisconsin, and charging misbranding in violation of the food and drugs act as amended.

Analysis by this department showed that the product consisted essentially of iron phosphate and carbonate, nux vomica extract, and a laxative drug.

It was alleged in substance in the libel that the article was misbranded in that the following statements borne on the labels, regarding the curative and therapeutic effects of the said articles were false and fraudulent, since it was contained no ingredient or combination of ingredients capable of producing the effects claimed: (carton label) "Phosphated Iron * * * To overcome lack of Iron and Phosphorous in the whole system; to increase Flesh and Blood Building, to overcome lack of Nerve Force and Energy, Brain Fag and Tired Feeling * * * for all that are going back and feel they need help to carry them over. * * * indicated in the treatment of Loss of Ap"