

deficient in their supply of this material. Furthermore, in many cases, impaired digestion and assimilation prevents its delivery to the blood stream. Sargon is intended to aid in supplying this all-important substance, so that deficiency of gland secretions may be corrected."

On September 25, 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.*

16937. Adulteration and misbranding of Hygem. U. S. v. 11 Bottles, et al., of Hygem. Default decrees of condemnation, forfeiture, and destruction. (E. & D. Nos. 23904, 23905. I. S. Nos. 03508, 03750. S. Nos. 1962, 1963.)

On August 1, 1929, and August 2, 1929, respectively, the United States attorneys for the Southern District of New York, and the Eastern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Courts of the United States for said districts libels praying seizure and condemnation of 22 bottles of Hygem, remaining in the original unbroken packages, in part at New York, N. Y., and in part at Brooklyn, N. Y., alleging that the article had been shipped by the Vita-Bac Corporation (Bloomfield Laboratories), from Bloomfield, N. J., in two consignments on or about June 11, 1929, and June 14, 1929, respectively, and transported from the State of New Jersey into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of an emulsion of mineral oil, a small amount of casein-like material and water flavored with peppermint oil. Bacteriological examination showed that the article contained no viable acidophilus bacilli.

It was alleged in the libels that the article was adulterated in that it was sold under the following standard of strength, (carton and bottle label) "The Mineral Oil Emulsion with Acidophilus," whereas the strength of the said article fell below such professed standard.

Misbranding was alleged for the reason that the following statement borne on the carton and bottle label, "The Mineral Oil Emulsion With Acidophilus," was false and misleading. Misbranding was alleged for the further reason that the following statements appearing on the bottle and carton labels and in the accompanying booklet regarding the curative and therapeutic effects of the article were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton and bottle labels) "For intestinal hygiene and any stomach or digestive disorder, such as constipation, auto-intoxication, indigestion and the like;" (booklet entitled "Intestinal Hygiene") "Consider that the average body will produce upward of six trillion bacteria per day, and further, that the source of the main supply or development is from the 'power plant,' that is the digestive tract and eliminative system. Already you begin to appreciate the tremendous importance of deciding whether the health damaging bacteria is to be permitted to accumulate and multiply in Your organism or be expelled from their breeding ground through regular and healthy elimination. The best medical minds are agreed that practically every disease has its inception in the intestines. Proof of the wisdom of the theory is abundant. * * * the organs * * * the most important of which * * * is the digestive tract, the stomach and bowels—the power unit from which is derived the force and power so necessary * * * The problem should be * * * a preventive one. Adequate elimination seems to be the great demand of the times, * * * If regular and complete expulsion does not take place, this waste, which now causes congestion, becomes an ideal breeding place for countless numbers of bacteria which we are constantly taking in with our food, or developing within our systems, and the toxins (poisons) generated by them are also absorbed through the walls of the intestines into the blood. This is the beginning of the endless chain of diseases which afflict the body—the beginning of untold distress. The accumulation of waste matter in the colon is present in practically everyone, due to our mode of living, inadequacy of exercise, improper diet, etc. When one thoroughly understands the primary cause for many of our bodily ailments, it is easy to appreciate what is occurring in the body's 'power plant' as vigor is lost and in its stead sluggishness developed, why so many of us as we reach middle age begin to develop hardening of the arteries, heart trouble, premature senility and many other forms of bodily disability. Practically

all of these diseases, which disturb health and happiness, have their root in the power plant. To supply a corrective for congestion within the 'power plant,' with resultant putrefaction and absorption of toxin (poisons) by the blood, 'Hygem' is the last and logical scientific development * * * Not only is 'Hygem' a corrective but its judicious use will enable any intelligent person to apply preventive principles in keeping the 'power plant' in highly efficient condition. If 'Hygem' will * * * cleanse the 'power plant' * * * also destroy the dangerous bacteria in the semi-fluid mass that passes through the system * * * How * * * does 'Hygem' destroy the dangerous bacteria that thrives within the 'power plant?' * * * it does it in two ways: First, by removing their food supply which consists of waste food matter from which the body-building elements have been extracted; and secondly by creating a chemical condition in which the harmful putrefactive bacteria cannot exist—thereby creating * * * sterile condition in your 'power plant' * * * What effect will this sterilized condition of the alimentary tract have on my health? It is a fact recognized by the medical profession that practically all human ills have their inception in the intestines. This can be understood when it is realized that the normal production of microorganisms in the average individual may reach a total of several trillion per day, the majority of which are of a distinctly harmful type which live on the accumulated wastes in the intestines and which produce toxic poisons which are in turn taken up by the blood and carried to all parts of the body. Many of these germs are also taken up by the blood stream and carried to all parts of the body. When the stomach and intestines are kept in a sterile condition, the blood becomes vigorous, the glands function normally and we find ourselves in a condition of perfect health. In that condition, one is practically immune from sickness. It will, therefore, be apparent that 'Hygem' can be advantageously used as an adjunct in the treatment of any disease and as a remedy for any disturbance which has its beginning in the digestive system. * * * Will 'Hygem' benefit one who is in good health? * * * Slight variation in food supply, indiscretions in the selection of food, slight changes in the quality of food stuffs caused by seasonal conditions and the like, tend sooner or later, to cause us to lose our physical equilibrium. * * * when one makes it a fixed habit to practice intestinal hygiene, these changes or indiscretions have no harmful effect because they are promptly corrected within the body through the normal functions of the eliminative organs. It is a fact recognized by authorities that the regular, periodical consumption of a viable culture of lactobacillus will add years to the life of an individual, will make their days happier and more productive and develop all through life a healthier physical condition. 'Hygem' will do all this * * * if the fundamental hygiene information given in this booklet is conscientiously applied, one will quickly develop the practice of intestinal hygiene and a marked improvement in wellbeing will be realized. You can use no better means of developing and maintaining a clean and sterile condition within the body 'power plant' than 'Hygem.' With these fundamental facts on intestinal hygiene before you, and not only a corrective but a preventive of inefficiencies within the 'power plant' which lead to untold disease and discomfort, at your disposal, all that is now necessary is the cultivation and exercising of a fixed habit of practicing intestinal hygiene. The rewards which follow are so wonderful as to transcend in importance practically everything else one can realize in life—good health. With good health man is a thinking and working creature, an efficient mortal—practically master of all he surveys."

On August 27, 1929, and September 4, 1929, respectively, 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 destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16938. Misbranding of Now. U. S. v. 20 Dozen Bottles of Now. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23504. I. S. No. 0959. S. No. 1699.)

On March 11, 1929, the United States attorney for the Northern District of Texas, 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 20 dozen bottles of Now, remaining in the original unbroken packages at Dallas, Tex., consigned by R. D. Coulson, Indianapolis, Ind., alleging that the article had been shipped from Indianapolis, Ind., on or about February