

The charge recommended by this department was that the statement on the carton, "B-L * * * Grippe Tablets * * * Blud-Life Company," was false and fraudulent.

On June 11, 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.*

17068. Misbranding of Ballard's Wonderful Golden oil. U. S. v. 72 Small Bottles, et al., of Ballard's Wonderful Golden Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24308. I. S. No. 011565. S. No. 2559.)

On December 4, 1929, the United States attorney for the District of Massachusetts, 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 72 small-size bottles and 18 large-size bottles of Ballard's Wonderful Golden oil, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Ballard Golden Oil Co., from Old Town, Me., in part on or about June 14, 1929, and in part on or about October 15, 1929, and transported from the State of Maine into the State of Massachusetts, and charging 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 linseed oil and volatile oils including peppermint, cedar, sassafras, and origanum oils, camphor, and methyl salicylate.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the wrapper, bottle label, and accompanying circular, regarding the curative and therapeutic effects of the article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Wrapper) "Used for the relief of * * * Croup, Colic, Asthma * * * Common Sore Throat, Whooping Cough * * * Muscular Rheumatism;" (bottle label) "For * * * Common Sore Throat * * * For Croup * * * For * * * Croup, Colic, Asthma * * * Whooping Cough. * * * Used externally for Muscular Rheumatism;" (circular) "Be prepared for the emergency which may come at any time, such as * * * croup, asthma, common sore throat. * * * For Croup. * * * For * * * Common Sore Throat take Ballard's Golden Oil freely as directed, heat and rub throat with oil, this will aid to * * * loosen and heal the affected parts. For Colic take Ballard's Golden Oil as directed, let it help you get rid of the griping pains. For Muscular Rheumatism. * * * it is a foe to Inflammation. * * * It is wonderful for children * * * highly recommended as an emergency remedy for its loosening * * * and healing qualities. * * * aids Dyspepsia, Indigestion and Sick Headache."

On January 3, 1930, 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.*

17069. Misbranding of Mathieu's nervine powders. U. S. v. 11 Dozen Boxes of Mathieu's Nervine Powders. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23555. I. S. No. 05834. S. No. 1791.)

On March 27, 1929, the United States attorney for the District of New Hampshire, 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 11 dozen boxes of Mathieu's nervine powders, remaining in the original unbroken packages at Dover, N. H., consigned by Favreau & Collette, Spencer, Mass., alleging that the article had been shipped from Spencer, Mass., on or about January 17, 1929, and transported from the State of Massachusetts into the State of New Hampshire, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the powders consisted essentially of acetanilide, caffeine, and sodium bicarbonate.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the article, (individual powder wrapper) "Nervine Powder For Neuralgia."

(wrapper label for 12 boxes) "Poudres Nervines * * * Si vous avez mal à la tête, Si vous êtes fièvreux, Si vous ne dormez pas bien, Si vous êtes nerveux, Si vous avez la grippe, Si vous souffrez de névralgie * * * Nervine Powders * * * If you do not sleep well, If you suffer from Neuralgia, If you are feverish, If you are nervous, If you have La Grippe * * * the dose can be repeated * * * if not relieved," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 19, 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.*

17070. Misbranding of Tyding's turpentine man's remedy. U. S. v. 8½ Dozen Bottles of Tyding's Turpentine Man's Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 23822, 23823. I. S. No. 08868. S. Nos. 1995, 1996.)

On June 19, 1929, the United States attorney for the Middle District of Georgia, 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 8½ dozen bottles of Tyding's turpentine man's remedy, remaining in the original unbroken packages at Macon, Ga., alleging that the article had been shipped by Tydings & Co., from Ocala, Fla., in part on April 24, 1929, and in part on April 26, 1929, and transported from the State of Florida into the State of Georgia, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Remedy for the Blood. For Stiffened Joints, For Rheumatism."

Analysis of a sample of the article by this department showed that it consisted essentially of potassium iodide, salicylic acid, extracts of plant drugs including a laxative drug, sugar, alcohol, and water.

It was alleged in the libel that the article, labeled as aforesaid, was misbranded in violation of section 8 of said act, paragraph 3, under drugs, in that it contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the same were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof that it was, in whole or in part, composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On December 23, 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.*

17071. Misbranding of Eagle menthol pencils. U. S. v. 4 Gross Packages of Eagle Menthol Pencils. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24125. I. S. No. 011523. S. No. 2383.)

On October 9, 1929, the United States attorney for the District of Massachusetts, 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 4 gross packages of Eagle menthol pencils, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Eagle Druggists Supply Co., from New York, N. Y., on or about September 2 (26), 1929, and transported from the State of New York into the State of Massachusetts, and charging 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 menthol.

It was alleged in the libel that the article was misbranded in that the following statements borne on each of the accompanying display cards, regarding the curative or therapeutic effects of the said article, "Instant Relief * * * Headache, Neuralgia, Muscle Pains, Influenza, Hay Fever, Catarrh, Asthma, etc.," were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 3, 1930, 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.*