

9030 (Supplement to Notice of Judgment 8031). Misbranding of Prescription 1000 External and Prescription 1000 Internal. U. S. * * * v. 3 Dozen Bottles of * * * Prescription 1000 * * * External * * * and 7 Dozen Bottles of * * * Prescription 1000 Internal. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 10520, 10533. I. S. Nos. 15015-j, 15016-r. S. Nos. E-1505, E-1514.)

On January 5, 1921, a notice of judgment was issued, covering the product referred to in the above heading, as Notice of Judgment 8031. The heading of said notice of judgment should have included a reference to Food and Drugs No. 10520. The United States attorney consolidated the proceedings arising under the two Food and Drug numbers referred to above into one action, and on January 13, 1920, a default decree of condemnation, forfeiture, and destruction was entered as stated in Notice of Judgment 8031.

E. D. BALL, *Acting Secretary of Agriculture.*

9031. Adulteration and misbranding of Big G. U. S. * * * v. 4 Dozen Bottles * * * and 7 Dozen Bottles * * * of Big G. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 10802, 10803. I. S. Nos. 7711-r, 7714-r. S. Nos. C-1337, C-1338.)

On July 1, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 4 dozen bottles and 7 dozen bottles, more or less, of Big G, at Kansas City, Mo., alleging that the article had been shipped on or about March 30, 1918, and May 20, 1919, by the Evans Chemical Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of borax and berberine. No hydrastine was present.

Adulteration of the article was alleged in substance in the libels for the reason that the cartons containing the product bore a label stating that said product was a compound of borated goldenseal, whereas it contained no borated goldenseal, and its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding was alleged in substance for the reason that the labels on the cartons, containers, and bottles in which the article was shipped, and the circulars accompanying said article, represented that it was a compound of borated goldenseal, which said labels and statements were fraudulent in that the article contained no goldenseal.

On November 17, 1919, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

9032. Misbranding of BRSCO. U. S. * * * v. 447 Bottles * * * of BRSCO. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 10814, 10815, 10816. I. S. Nos. 7712-r, 7713-r, 7715-r, 7716-r, 7717-r, 7718-r. S. Nos. C-1343, C-1344, C-1346.)

On July 7, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 447 bottles, more or less, of BRSCO, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped between October 26, 1918, and April 23, 1919, by the Brsco Medicine Co., a copartnership, composed of E. H. Cook, Edgar Briscoe, B. G. Dowell, and J. J. Riner, Nowata, Okla., and transported from the State of Oklahoma into the State of Missouri, and charging misbranding in violation

of the Food and Drugs Act, as amended. The article was labeled in part, "BRSCO * * * Prepared by BRSCO MEDICINE CO. Nowata, Okla."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of light mineral oil, turpentine, water, creosote, and a small amount of hypophosphites.

It was alleged in substance in the libel that the article was misbranded for the reason that certain statements upon the cartons, containers, and bottles containing the article, and certain statements contained in the circulars accompanying said article, regarding the therapeutic or curative effect thereof, falsely and fraudulently represented it to be effective for the treatment of tuberculosis in its early stages, bronchitis, Spanish influenza, asthma, ordinary coughs and colds, hay fever, and la grippe, whereas said article contained no ingredients or combination of ingredients capable of producing the effects claimed for it.

On November 17, 1919, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

9033. Misbranding of E. & I. Treatment. U. S. * * * v. 30 Cartons of E. & I. Treatment. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11471. I. S. No. 15116-r. S. No. E-1821.)

On October 10, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 30 cartons of E. & I. Treatment, consigned by the Henry S. Wampole Co., Baltimore, Md., remaining in the original unbroken packages at Pottsville, Pa., alleging that the article had been shipped on or about May 17, 1919, and transported from the State of Maryland into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of two preparations, capsules for internal use and a liquid for injection. The contents of the capsules consisted essentially of cubebs, copaiba balsam, alum, and magnesia, and the liquid consisted essentially of zinc chlorid, glycerin, water, and a red coloring matter.

It was alleged in substance in the libel that the product was misbranded for the reason that the circular accompanying it contained the following statements regarding the curative or therapeutic effects of said article and the ingredients or substances contained therein, "Self-Help External & Internal Treatment For the Relief and Prevention of Gonorrhoea (Clap), Blenorrhoea (Gleet), Leucorrhoea (Whites), and allied forms of Acute and Inflammatory Mucous Discharges from the Urethra (Urine Canal). * * * There may, however, be cases of Gonorrhoea Sicca, or dry clap, in which there is no discharge. * * * For females the External treatment should alone be used as a vaginal injection * * * If attended with ulceration at the orifice of the vagina, apply pledgets of lint wet with the External treatment. Leucorrhoea or Whites. For Leucorrhoea or Whites use the External treatment as an injection, * * *," which were false and fraudulent in that said article would not produce the curative or therapeutic effects which purchasers are led to expect by said statements, which were applied to said article with a knowledge of their falsity for the purpose of defrauding purchasers thereof.

On November 10, 1919, 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.

E. D. BALL, *Acting Secretary of Agriculture.*