9082. Misbranding of Benetol Vaginal Suppositories. U. S. * * * v. 136 Packages of * * * Benetol Vaginal Suppositories. Consent decree adjudging the product to be misbranded and ordering its release under bond. (F. & D. Nos. 11413, 11414. I. S. Nos. 2666-r, 2667-r. S. Nos. W-513, W-514.)

On October 3, 1919, the United States attorney for the Northern District of California, 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 136 packages of Benetol Vaginal Suppositories, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Benetol Co., Minneapolis, Minn., and transported from the State of Minnesota into the State of California, in part on April 12 and July 14, 1919, and that the remainder had arrived at San Francisco on September 10, 1919, 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 the suppositories consisted essentially of alpha- and beta-naphthol, boric acid, and traces of menthol and phenol in a cacao butter base.

It was alleged in substance in the libel that the article was misbranded for the reason that the following statements appearing on the box containing the article and in the booklet accompanying it, regarding the curative and therapeutic effect thereof, (box) "Benetol Suppositories For Women * * * For The Treatment Of The Special Diseases Of Women * * * Use In Vagina * * * Directions—As A General Disinfectant And Local Tonic Insert A Suppository Into The Vagina At Night Before Retiring. For The Treatment Of Leucorrhea (Whites), Vaginitis, Vulvitis, Cervicitis, Endometritis, Gonorrhea, And All Diseases Of The Vagina And For Inflammation Or Irritation Of The Cervix (Mouth Of The Womb) Insert A Suppository High In The Vagina At Night And Take Benetol Douche Next Morning. * * *," (booklet) "* * * Leucorrhea or Whites—Insert a 'Suppository for Women' at night high in the vagina, and next morning take a two quart douche containing a tablespoonful of Benetol. Other diseases peculiar to women, Vulvitis, Vaginitis, Cervicitis, Endomentritis, etc., are treated by the same method * * * Benetol Suppositories For Women * * * The Suppositories * * * Benetol douche. * * * This treatment is of especial value in leucorrhea and vaginitis and of course as a * * * treatment of the sexual diseases * * *" were false and fraudulent, as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 17, 1919, the Benetol Co. having consented to a decree, judgment was entered in which it was found that the article was misbranded, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of $1,000, in conformity with section 10 of the act.

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

9083. Misbranding of Benetol. U. S. * * * v. 3,594 Packages of * * * Benetol. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 11587, 11588, 11589. I. S. Nos. 2670-r, 2671-r, 2672-r. S. Nos. W-531, W-532, W-533.)

On November 11, 1919, the United States attorney for the Northern District of California, 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 3,504 packages of Benetol, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Benetol Co., Minneapolis, Minn., between July 14 and October 1, 1919, and transported from the State of Minnesota into the State of California, 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 essentially of an alkaline emulsion containing alpha-naphthol, soap, glycerin, and traces of alcohol and essential oils.

It was alleged in substance in the libel that the article was misbranded for the reason that the following statements appearing in the booklet accompanying said article, regarding its curative and therapeutic effect, "Men and Women—Will find Benetol a highly efficient douche or injection or local wash, to insure against infection or to quickly check germ diseases. * * * Gonorrhea.—Take internally twenty drops in hot water after meals and before retiring. As injection, irrigation or douche use thirty drops of Benetol per glass of warm water * * * Use at night before retiring. * * * Gleet.—Start treatment as above and gradually increase injection, etc., to teaspoonful per glass of water if necessary," were false and fraudulent, as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 17, 1919, the said Benetol Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said company upon payment of the costs of the proceedings and the execution of a bond in the sum of $1,000, in conformity with section 10 of the act.

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

9084. Adulteration of canned dried Lima beans. U. S. * * * v. 12 Cases of Canned Dried Lima Beans. Default decree of condemnation and forfeiture. Product ordered sold or destroyed. (F. & D. No. 13157. I. S. No. 16591-r. S. No. E-2464.)

On August 2, 1920, the United States attorney for the Northern 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 for the seizure and condemnation of 12 cases of canned dried Lima beans, remaining in the original unbroken packages at Atlanta, Ga., consigned by the Thomas Canning Co., Grand Rapids, Mich., alleging that the article had been shipped on or about March 25, 1920, and transported from the State of Michigan into the State of Georgia, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Thomas' Dried Ripe Lima Beans Thomas Canning Co. Grand Rapids, Mich."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, to wit, nonsterile and decomposed Lima beans.

On January 24, 1921, 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 sold by the United States marshal as adulterated canned Lima beans and unfit for human food, or if a purchaser could not be found, that the same be destroyed.

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