

mucous membrane, etc., and that the said booklet accompanying the article contained the further allegation that it was a remedy for hay fever, inflammation of the eye, cystitis, gastritis, hemorrhoids, piles, gleet, stricture, and divers other kindred and various diseases in said booklet set forth, all of which said claims for the curative powers of the said drug were false and untrue and were intended to deceive and mislead those desiring cures of any of the said diseases and to lead them to believe that the said drug would produce such effects, and that said statements as to the curative effects were willfully, wrongfully, and unlawfully used for the purpose of misleading those looking for cures for any of the diseases mentioned, and intended to mislead and deceive them to believe that the article was a cure and remedy for said diseases, all of which statements were false and untrue.

On July 22, 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.*

9182. Misbranding of Bliss Native Herbs Tablets. U. S. * * * v. 45 Packages and 142 Boxes * * * of Bliss Native Herbs Tablets. Default decree of condemnation, forfeiture, and destruction in the case of 45 packages. Consent decree of condemnation and forfeiture, product released under bond, in the other case. (F. & D. Nos. 11335, 11336. I. S. Nos. 12452-r, 8332-r. S. Nos. C-1490, C-1495.)

On November 26 and on or about September 29, 1919, the United States attorney for the Southern District of Ohio, 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 45 packages and 142 boxes, more or less, of Bliss Native Herbs Tablets, remaining unsold at Columbus and Dayton, Ohio, respectively, consigned by the Alonzo O. Bliss Medical Co., Washington, D. C., on or about August 1 and 29, 1919, respectively, alleging that the article had been transported from the District of Columbia into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "* * * Indigestion, Dyspepsia, Autointoxication, Sick and Nervous Headache, Kidney and Liver Derangements, Loss of Appetite, Blood Impurities, etc."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of aloes, licorice, uva ursi, buchu, capsicum, and a resin-bearing drug.

Misbranding of the article was alleged in substance in the libels for the reason that the packages purported to contain a product known as Bliss Native Herbs, for the cure of indigestion, dyspepsia, autointoxication, sick and nervous headache, kidney and liver derangements, loss of appetite, blood impurities, etc., only by reason of statements on the labels thereof, whereas, in truth and in fact, said statements were false and misleading [fraudulent] in that the product had but little or no ingredients capable of producing the therapeutic effects claimed therefor.

On February 4, 1921, no claimant having appeared for the property in the case of the 45 packages at Columbus, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal. On February 2, 1921, the Alonzo O. Bliss Medical Co., Washington, D. C., having entered an appearance as claimant in the case of the 142 boxes at Dayton, and having admitted the facts set forth in the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to

said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act, conditioned in part that the article be relabeled under the supervision of this department.

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

9183. Misbranding of American Hog Remedy and American Stock Tonic. U. S. * * * v. Certain Packages of American Hog Remedy and American Stock Tonic. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 13436 to 13455, inclusive. Inv. Nos. 10433 to 10437, inclusive, 15747 to 15749, inclusive, 10431, 15750, 26601 to 26622, inclusive, 26627 to 26634, inclusive. S. Nos. C-2225 to C-2256, inclusive, C-2278 to C-2285, inclusive.)

On August 31 and September 7, 1920, the United States attorney for the Northern District of Illinois, 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 certain packages of American Hog Remedy and American Stock Tonic, located at various places in Illinois, alleging that the articles had been shipped by the American Remedy Co., Tiffin, Ohio, between the dates December 23, 1919, and February 3, 1920, and transported from the State of Ohio into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the American Hog Remedy consisted essentially of powdered charcoal, peanut shells, sodium chlorid, ferrous sulphate, sulphur, magnesium sulphate, iron oxid, American wormseed, nux vomica, and quassia, and that the American Stock Tonic consisted essentially of charcoal, peanut shells, sodium chlorid, ferrous sulphate, sulphur, magnesium sulphate, iron oxid, American wormseed, and brown mustard.

Misbranding of the articles was alleged in substance in the libels for the reason that the following statements regarding the curative and therapeutic effect thereof, appearing on the carton inclosing the packages, (American Hog Remedy) "A Concentrated Remedy for Swine Recommended especially for Hogs. Purifies the blood, * * * Do not be deceived. Hogs Require entirely distinct compound from other domestic animals. It is absurd to believe that ordinary Stock Remedy will cure and prevent Hog Cholera * * * The required dose for a hog of any scientific compound, containing the ingredients required to cure and prevent contagion among swine, * * * Directions * * * For Hog Cholera.—As soon as you notice that Hog Cholera has begun on your herd, * * * Give from two to three tablespoonfuls of American Hog Remedy * * * If already diseased increase at once to three or even four tablespoonfuls * * *," (American Stock Tonic) "A valuable remedy in the treatment of diseases peculiar to Horses, Cattle, Sheep and Hogs, such as Coughs, * * * Lung Fever, * * * Founder * * * Diseases of the Stomach, Kidneys and Urinary Organs and all diseases arising from impure blood. * * * Begin using American Stock Tonic during the early stages of any disease. Follow directions carefully and you will seldom have to call a veterinarian. * * * Keep this product at hand and you can feel reasonably certain that you will not lose any of your live stock from disease. Directions * * * prevent disease, * * * For Hog Cholera: * * * For worms: * * * For Heaves In Horses: * * *," were false and fraudulent in that the articles did not contain ingredients or medicinal agents or combinations of ingredients, effective as a remedy for the various diseases, ailments, and afflictions mentioned on the cartons aforesaid.