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

On March 9, 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 destroyed by the United States marshal.

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

9273. Misbranding of Texas Wonder. U. S. * * * v. 259 Bottles * * * of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12867. I. S. No. 6005–r. S. No. C–1956.)

On or about June 8, 1920, the United States attorney for the Western District of Oklahoma, 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 259 bottles, more or less, of Texas Wonder, remaining unsold in the original unbroken packages at Oklahoma City, Okla., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., part on or about March 29, 1920, and part on or about April 17, 1920, and transported from the State of Missouri into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Texas Wonder * * * E. W. Hall, Sole Manufacturer St. Louis, Mo."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the packages and cartons bore and contained the following statements regarding the curative and therapeutic effect of said article, (carton) "A Remedy For Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children," (circular headed "Read Carefully") "* * * In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved * * *," which statements were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On August 5, 1920, 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.*

9274. Misbranding of red kidney beans. U. S. * * * v. Edward P. Ray, John Westing, and Peter Westing (New Era Canning Co.). Pleas of guilty. Fine, $300. (F. & D. No. 12900. I. S. Nos. 8553–r, 8557–r.)

On January 26, 1921, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Edward P. Ray, John Westing, and Peter Westing, trading as the New Era Canning Co., New Era, Mich., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about August 23 and November 13, 1919, from the State of Michigan into the State of Illinois, of a quantity of red kidney beans which were adulterated. The article was labeled in part: "New Era Brand * * * Red Kidney Beans * * * Packed By New Era Canning Co., New Era, Mich."

Examination of samples of the article by the Bureau of Chemistry of this department showed that it contained 25.7 per cent and 49.4 per cent, respectively, of decomposed beans, and that it had a musty odor and taste.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On April 7, 1921, the defendants entered pleas of guilty to the information, and the court imposed fines in the aggregate sum of $300.

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

9275. Misbranding of American Hog Remedy and American Stock Tonic. U. S. * * * v. 11 Packages * * * of American Hog Remedy and 11 Packages * * * of American Stock Tonic. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12908. I. S. Nos. 8173-r, 8175-r. S. Nos. C-1959, C-1960.)

On June 14, 1920, the United States attorney for the Southern District of Illinois, 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 11 packages, more or less, of American Hog Remedy and 11 packages, more or less, of American Stock Tonic, remaining in the original packages at Galesburg, Ill., alleging that the articles had been shipped by the American Remedy Co., Tiffin, Ohio, on or about December 10, 1919, 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. The articles were labeled in part: (American Hog Remedy) (carton) "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) (carton) "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 * * * For Hogs: Give a tablespoonful of American Stock Tonic with feed or slop twice per day for each hog. This will * * * prevent disease, * * * Hog Cholera: * * * For Worms: * * * For Heaves In Horses: * * *."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the hog remedy consisted essentially of ground charcoal, peanut shells, sodium chlorid, and ferrous sulphate, with small amounts of Epsom salts, sulphur, iron oxid, American wormseed, nux vomica, and quassia, and that the stock tonic consisted essentially of charcoal, peanut shells, sodium chlorid, and ferrous sulphate, with small amounts of nux vomica, quassia, sulphur, American wormseed, and brown mustard.

Misbranding of the articles was alleged in substance in the libel for the reason that the above-quoted statements contained in the labels, regarding the curative and therapeutic effects, were false and fraudulent, since the articles contained no ingredient or combination of ingredients capable of producing the effects claimed.