

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 32.8 per cent of protein.

Misbranding of the article was alleged in the information in that the statement on the tag attached to the sack containing the article, regarding it and the ingredients and substances contained therein, to wit, "36.0 Per cent of Crude Protein," was false and misleading in that it represented that the article contained not less than 36 per cent of crude protein, whereas, in truth and in fact, it did contain less than 36 per cent of crude protein.

On January 8, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

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

8521. Misbranding of Brou's Injection and Grimault & Co's. Injection. U. S. * * * v. 10 Dozen Bottles of Brou's Injection and 2 Dozen Bottles of Grimault & Co's. Injection. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 10280, 10281. I. S. Nos. 7779-r, 7781-r. S. No. C-1218.)

On May 16, 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 10 dozen bottles of Brou's Injection and 2 dozen bottles of Grimault & Co's. Injection, consigned by E. Fougere & Co., Inc., New York, N. Y., November 8, 1918, remaining unsold in the bottles at Cincinnati, Ohio, alleging that the articles had been transported from the State of New York into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The Brou's Injection was labeled in part: (Bottle) "Hygienic and Preservative Brou's Injection * * * Distributors E. Fougere & Co., Inc., New York," (in French) "* * * against discharges recent or chronic and against 'White Flowers,'" (circular) "* * * for the cure all recent and chronic discharges of the urinary organs (Gonorrhœa, Leucorrhœa and Gleet) * * *." The Grimault & Co's. Injection was labeled in part: (Bottle) "Grimault and Co's. Injection * * * remarkable preventive * * * properties;" (circular) "* * * in the treatment of chronic and acute discharges from the urethra * * * acts especially well on all muco-purulent discharges * * * in Gonorrhœa * * * discharges from the female generative organs whether merely whites or of a greenish-yellow color * * *;" (in Spanish) "* * * recent or old blennorrhagic discharges * * * blennorrhagia and gonorrhœa for men * * * catarrh, leucorrhœa, flowers and losses * * * purulent greenish-yellow mucous discharges * * * white flowers * * * prophylactic and preservative * * *."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that Brou's Injection consisted essentially of lead and zinc acetates and sulphates, a small amount of opium, alcohol, and water, and that Grimault's Injection consisted of a dilute aqueous solution of copper sulphate containing plant extractives, probably from matico.

Misbranding of the articles was alleged in substance in the libels for the reason that their packages and labels bore and contained certain statements, regarding the curative or therapeutic effects thereof, as hereinbefore set forth, which were false and fraudulent in that the articles contained no ingredients or combination of ingredients capable of producing the effects claimed, and in that the articles were insufficient of themselves for the successful treatment and cure of the ailments and diseases for which they were prescribed and recommended.

On September 19, 1919, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

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