

11481. Misbranding of DuBois Pacific pills. -U. S. v. 148 Packages of DuBois Pacific Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 14659, 14660. I. S. Nos. 10493-t, 10494-t. S. Nos. W-889, W-890.)

On March 18, 1922, 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 praying the seizure and condemnation of 148 packages of DuBois Pacific [Pacific] pills, alleging that the article had been shipped from Detroit, Mich., in part by the Parke, Davis Co., on December 3, 1920, and in part by W. J. Baumgartner, on December 17, 1920, and transported from the State of Michigan 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 the pills contained aloes and iron sulphate, with a coating of sugar and calcium carbonate.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing in the circular enclosed in the box containing the article, "DuBois Pills * * * Reliable Female Tonic and Regulator. * * * a female tonic and regulator of menstrual disturbances and for relieving general female disorders. Needless pain and suffering may be prevented by the use of DuBois Pills * * * a female tonic exerting helpful medicinal action over the female organs. * * * of utmost value in assisting in the relieving of pains, due to leucorrhoea, etc., and regulating the menses. * * * suppressed menstruation, painful menstruation * * *. For leucorrhoea * * *. In cases of menstrual disturbances the course of treatment may be commenced at any time when the indications suggest that the menstrual period is delayed due to taking cold or exposure. * * * When the period is irregular," were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed. Misbranding was alleged for the further reason that the statement appearing in the said circular, "DuBois Pills which are purely vegetable," was false and misleading.

On May 24, 1923, 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.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11482. Adulteration of coal-tar color. U. S. v. 2 Pounds, et al., of Coal-Tar Color. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14709, 14710, 14711. I. S. Nos. 6586-t, 6587-t, 6589-t. S. Nos. E-3209, E-3210, E-3211.)

On April 12, 1921, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 4 pounds of coal-tar color, in part at Schenectady and in part at Amsterdam, N. Y., alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., in part March 7 and in part March 10, 1921, and transported from the State of Missouri into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "W. B. Wood Mfg. Co. * * * St. Louis, Mo. Warranted Complies With All Requirements * * * Number 112 * * * Red."

Adulteration of the article was alleged in the libels for the reason that sodium chlorid and sodium sulphate had been mixed and packed with and substituted wholly or in part for the said article, and for the further reason that it contained an added poisonous and deleterious ingredient, to wit, arsenic, which might render it injurious to health.

On September 30, 1921, 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.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11483. Adulteration of egg yolk. U. S. v. 318 Cases of Egg Yolk. Decree entered releasing good portion upon payment of costs and permitting bad portion to be admitted under bond for industrial purposes. (F. & D. No. 15896. S. No. E-3751.)

On January 5, 1922, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the