The article was also alleged to be misbranded in violation of the provisions of the law applicable to foods reported in F. N. J. No. 2548.

On August 15, 1941, the Charles B. Knox Gelatine Co., Inc., having appeared as claimant and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond conditioned that the circulars and booklets be removed from the packages under the supervision of the Food and Drug Administration.

498. Misbranding of Wiel Garlic Tablets. U. S. v. 174 Tins, 88 Bottles, and 500 Envelopes of Wiel Garlic Tablets. Default decree of condemnation and destruction. (F. D. C. No. 3005. Sample Nos. 33458–E, 33459–E.)

On September 17, 1940, the United States attorney for the District of New Jersey filed a libel against the following amounts of Wiel Garlic Tablets at Newark, N. J.—174 tins each containing 24 tablets, 88 bottles each containing 120 tablets, and 500 envelopes each containing 4 tablets, alleging that the article had been shipped by Wiel Laboratories, Inc., from Brooklyn, N. Y., on or about March 2, 1940; and charging that it was misbranded.

Analysis of a sample of the article showed that the tablets contained a small amount of garlic coated with sugar, calcium carbonate, and a starchy material, flavored with peppermint.

The article was alleged to be misbranded in that certain statements appearing in the labeling were false and misleading since they represented that it would build better health, stimulate digestion, and reduce high blood pressure; that garlic causes the relaxation and expansion of the tiny blood vessels and small arteries, which have the direct and immediate effect of lowering blood pressure; that it would act by stimulating peristaltic movement of the bowels, and would aid in dispelling excessive flatulent gas and its disagreeable symptoms of nervous fatigue, coated tongue, and sleeplessness; and that it would relieve that peculiar dizziness and headache which usually accompanies high blood pressure, and would help to overcome jumpy nerves due to ordinary constipation; whereas it would not be efficacious for such purposes.

On January 31, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

499. Misbranding of honey. U. S. v. 36 Packages and 75 Packages of Honey. Default decrees of condemnation. Portion of product ordered destroyed; remainder ordered delivered to a charitable institution. (F. D. C. Nos. 3977, 3980. Sample Nos. 44027–E, 44640–E.)

On March 15, 1941, the United States attorney for the Middle District of Tennessee filed a libel against 36 packages of honey at Dickson, Tenn., alleging that the article had been shipped in interstate commerce on or about February 5, 1941, by the Tongue River Apiaries (E. C. Reed & Son) from Ranchester, Wyo. On March 31, 1941, the United States attorney for the District of Colorado filed libel against 75 packages of honey at Denver, Colo., which had been shipped by Tongue River Apiaries on or about October 1, 1940, from Ranchester, Wyo.

The article was alleged to be misbranded in that the statements on the carton, "Health Sweet," "Helpful for impaired digestion, diabetes, etc.," and "A teaspoonful in warm water induces sleep and stimulates the heart," were false and misleading since the use of the article could not be depended upon to fulfill the promises of benefit stated and implied thereby. It was alleged to be misbranded further in that statements in an accompanying circular entitled "Please Pass the Honey," regarding its efficacy in the maintenance of health, its efficacy in the treatment of heart weakness and heart failure and in reviving heart action, its efficacy in the treatment of pneumonia and its value for general physical repair, its efficacy to produce energy and give the user a healthy complexion, and its efficacy as a cosmetic because of its nourishing, bleaching, astringent, and antiseptic effect on the skin, were false and misleading since it would not be efficacious for such purposes. It was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in F. N. J. No. 2813.

On May 27 and on June 28, 1941, no claimant having appeared, judgments of condemnation were entered and the product seized at Denver was ordered delivered to a charitable institution and that seized at Dickson was ordered destroyed.