

17212. Misbranding of liquid Poultry Health. U. S. v. 7 Pints of Liquid Poultry Health. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24247. I. S. No. 016095. S. No. 2448.)

On November 14, 1929, 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 a libel praying seizure and condemnation of 7 pints of liquid Poultry Health at Lanark, Ill., alleging that the article had been shipped by the General Veterinary Laboratory, from Omaha, Nebr., September 19, 1929, and transported from the State of Nebraska into the State of Illinois, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of ammonium chloride, mercuric chloride, iron sulphate, copper sulphate, and water.

Misbranding of the article was alleged in the libel for the reason that the following statements regarding the curative and therapeutic effects of the said article, borne on the label of the container, "Poultry Health * * * Results should be prompt * * * Continue this treatment * * * After this fourteen-day treatment and for general conditioning continue to put 'Liquid Poultry-Health' in the drinking water only, to help ward off disease. * * * For baby chicks add one-half tablespoonful of 'Liquid Poultry Health' to each gallon of drinking water for the first three or four days and thereafter add one tablespoonful to each gallon of drinking water," were false and fraudulent, in that the said statements were applied to the article so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that it was, in whole or in part, composed of or contained ingredients or medicinal agents effective as a remedy for the diseases, ailments, and afflictions mentioned therein.

On February 23, 1930, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17213. Misbranding of Pinoleum. U. S. v. 10 Dozen Bottles of Pinoleum. Product released under bond. (F. & D. No. 24246. I. S. No. 022483. S. No. 2453.)

On or about December 3, 1929, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 dozen bottles of Pinoleum at San Juan, P. R., alleging that the article was in possession of Llompart Bros. Co., San Juan, P. R., and was being offered for sale and sold in Porto Rico, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of mineral oil containing small amounts of volatile oils, including camphor, menthol and pine, eucalyptus, and cassia oils.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, appearing in the labeling, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle) "For Catarrhal Conditions of Mucous Membranes * * * Specially recommended in Nose and Throat diseases;" (carton) "For the relief of Catarrhal Conditions of Mucous Membranes * * * Specially recommended in Nose And Throat Diseases * * * Pinoleum * * * and soothes inflammation, thus relieving pain, soreness, cough, and difficulty in breathing. * * * The ideal Remedy in La Grippe * * * Pinoleum is * * * Healing to Inflamed Mucous Membranes. * * * Adults suffering from catarrhal conditions, not reached by atomizer or nebulizer, should inject Pinoleum into each nostril, night and morning;" (circular) "Pinoleum * * * is as near as possible a specific in the treatment of catarrhal conditions of the mucous membranes. * * * Pinoleum is used in influenza, * * * La Grippe, Ozaena, Hay Fever, * * * Laryngitis, Bronchitis, Asthma, Hoarseness, Adenoids, Tuberculosis of the throat and lungs, intestinal Catarrh, with resulting constipation. Pinoleum when sprayed into the mouth and throat during the act of inspiration gives almost immediate relief in coughs, especially coughs accompanying Influenza, Laryngitis and Bronchitis. Pinoleum is extensively prescribed by * * * lung Specialists for catarrhal conditions of the mucous membranes and may be taken internally in milk * * * especially in cases of Bronchitis, where teaspoonful doses, administered every three

or four hours, give marked relief. Pinoleum has gained an enviable reputation for the relief of catarrhal conditions of the intestinal mucous membranes, resulting in what is ordinarily called Constipation. Pinoleum should be used as a preventive measure in Influenza, Measles, and other Communicable Diseases. * * * in the treatment of all forms of catarrhal conditions of the mucous membranes. Pinoleum * * * inflammation, thus relieving pain, soreness, cough, and difficulty in breathing. * * * Infants and Young Children suffering from * * * nasal catarrh, * * * should have the mucus removed with a cotton-wound applicator, saturated with Pinoleum, and while the head is bent backward, a medicine dropper or a Pinoleum Pipet full of Pinoleum should be injected into each nostril three to six times a day and until there is complete relief from symptoms. * * * Scientists have discovered that in the first thirty-six hours of infection, the germs of influenza and gripe are confined to the nose and throat. Many contagious diseases of childhood begin by way of the nose. The prompt use of Pinoleum will contribute greatly to their elimination * * * Pinoleum acts * * * on the mucous membrane of the intestinal tract * * * Ever Tending to Reestablish Normal Secretions and Normal Activity. * * * the treatment kept up until normal bowel action is obtained. * * * Pinoleum Is a Useful Medication in Catarrhal Conditions of Mucous Membranes in Any Part of the Body."

On March 1, 1930, Llompert Bros. Co., San Juan, P. R., having appeared as claimant for the property and having confessed the libel, judgment was entered ordering that the product be released to the said claimant to be relabeled under the supervision of this department, upon the execution of a bond in the sum of \$400.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17214. Adulteration and misbranding of ether. U. S. v. 100 Half-Pound Tins of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24082. S. No. 2321.)

On September 23, 1929, 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 a libel praying seizure and condemnation of 100 half-pound tins of ether at Chicago, Ill., alleging that the article had been shipped by the Ohio Chemical & Manufacturing Co., from Cleveland, Ohio, September 4, 1929, and transported from the State of Ohio into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act.

Analysis of a sample of the article by this department showed that the ether contained peroxide.

The article was labeled in part: "Ether A Superior Product for Ether Anesthesia."

It was alleged in the libel that the article was adulterated in that it was sold under the name ether, a name recognized in the United States Pharmacopœia, and differed from the standard of purity as determined by the tests laid down in said pharmacopœia official at the time of investigation. Adulteration was alleged for the further reason that the strength of the article fell below the professed standard under which it was sold, in that it was sold under the following standard, "Ether. The exceptional purity of this Ether * * * the exclusion of air by carbon dioxide prevents the oxidation of ether to * * * peroxides by atmospheric oxygen," whereas the said article fell below such professed standard.

Misbranding was alleged for the reason that the statements on the label, "The exceptional purity of this Ether * * * The exclusion of air by carbon dioxide prevents the oxidation of ether to peroxides by atmospheric oxygen," were false and misleading.

On February 20, 1930, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17215. Adulteration and misbranding of Dakol nasal cream. U. S. v. 2 Dozen Small-Sized Packages, et al., of Dakol. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 24334, 24335. I. S. Nos. 028683, 028684, 028685. S. Nos. 2585, 2586.)

On December 13, 1929, the United States attorney for the Southern 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 a libel praying seizure and