

the said article contained no ingredient or combination of ingredients capable of producing the therapeutic or medicinal effects claimed: (Carton) "Chill and Fever Tonic. * * * If You Have Chills and Fever Take This Tonic. Billious Fever Take This Tonic Swamp Fever Take This Tonic. * * * Johnson's Chill and Fever Tonic Is a Medicine for Chills and Fever and Diseases arising from.* * * Disordered Liver;" (bottle label) "Chill & Fever Tonic;" (circular) "Chill & Fever Tonic * * * such diseases as Chills & Fever, Billious Fever, Swamp Fever."

On July 7, 1930, no answer or other pleading having been filed, judgment of condemnation was entered. The decree provided that the product might be released to the James F. Ballard Co. (Inc.), St. Louis, Mo., for relabeling, upon payment of costs and the execution of a bond in the sum of \$200, otherwise that it be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17623. Adulteration and misbranding of Merle's Brand Epsom salt tablets. U. S. v. 10 Cards, et al., of Merle's Brand Epsom Salt Tablets. Default decrees of condemnation and destruction. (F. & D. Nos. 24660, 24720. I. S. No. 027003. S. Nos. 3017, 3065.)

An examination of a drug product known as Merle's Brand Epsom salt tablets compound having shown that it contained as its principal active ingredients laxative drugs other than Epsom salt, the Secretary of Agriculture reported the facts to the United States attorney for the Western District of Pennsylvania.

On March 26 and April 15, 1930, respectively, the said United States attorney filed in the District Court of the United States aforesaid libels praying seizure and condemnation of 34 cards, each bearing 14 packages of Merle's Brand Epsom salt tablets at Clarion, Pa., alleging that the article had been shipped by the Devore Manufacturing Co., from Columbus, Ohio, in part on or about September 19, 1929, and in part on or about March 19, 1930, and had been transported from the State of Ohio into the State of Pennsylvania, 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 tablets contained phenolphthalein (three-fifths of a grain each), extracts from laxative plant drugs including podophyllum, and aloe, and magnesium sulphate (2½ grains each).

It was alleged in the libels that the article was adulterated in that it was sold under the following standard of strength, "Epsom Salt Tablets Compound" and "Epsom Salt Tablets," whereas the strength of said article fell below such professed standard since the principal active ingredients were laxatives other than Epsom salt.

Misbranding was alleged for the reason that the statements on the retail carton and display card, respectively, "Epsom Salt Tablets Compound" and "Epsom Salt Tablets," and upon bottle label, "Epsom Salt Tablets Compound," were false and misleading. Misbranding was alleged for the further reason that the statement upon the display card and upon the bottle label, "To be used in place of the ordinary disagreeable Epsom Salts," was false and misleading in that the said statement created the impression that the active ingredient in the said tablets was an unusual and agreeable form of Epsom salt, whereas it was not. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the name of another article.

On July 10, 1930, no claimant having appeared for the property, judgments of condemnation were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17624. Misbranding of Bronchuline. U. S. v. 70 Bottles of Bronchuline. Default decree of condemnation and destruction. (F. & D. No. 24748. I. S. 025597. S. No. 3106.)

Examination of samples of a drug product known as Bronchuline from the herein described interstate shipment having shown that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed for it in the labeling, the Secretary of Agriculture reported the facts to the United States attorney for the Western District of Pennsylvania.

On May 7, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and con-

demnation of 70 bottles of Bronchuline at Pittsburgh, Pa., alleging that the article had been shipped by the International Laboratories from Rochester, N. Y., on or about September 23, 1929, and had been transported from the State of New York into the State of Pennsylvania, 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 an emulsion containing mineral oil, compounds of sodium and calcium, glycerophosphates, and creosote flavored with methyl salicylate.

It was alleged in the libel that the article was misbranded in that the following statements borne on the bottle and carton labels regarding its curative and therapeutic effects were false and fraudulent: (Bottle label) "Stop that Cough. Bronchuline * * * for Persistent Coughs, Croup, Bronchitis, Hoarseness, Dry Night Coughs, Catarrh, Asthmatic Coughs * * * Note—Sufferers from Bronchial Catarrhal or Tubercular Inclination should take several bottles of Bronchuline as a Tonic, even tho Cough is gone. Bronchuline is a Tissue-Builder for the Respiratory Organs. * * * We recommend its use for the most persistent of Coughs, Hoarseness, Loss of Voice, Bronchial and Throat Affections. * * * Racking coughs that keep one awake at night are severe on the entire system and not only weaken but prove a strain on the nerves and vitality;" (carton) "Stop that cough Brochuline * * * for Persistent Deep-Seated Hang on Coughs * * * For * * * La-Grippe, Influenza, Headache, Neuralgia. * * * We Recommend its use for the most persistent of Coughs, Hoarseness, Loss of Voice, Bronchial and Throat Affections. * * * Racking coughs that keep one awake at night are severe on the entire system and not only weaken but prove a strain on the nerves and vitality."

On July 10, 1930, no claimant having appeared for the property, judgment of condemnation 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.*

17625. Misbranding of menthol inhalers. U. S. v. 29 Dozen Packages of Menthol Inhalers. Default decree of condemnation, forfeiture, and destruction or sale. (F. & D. No. 24515. I. S. No. 022564. S. No. 2806.)

Samples of a drug product known as Menthol Inhalers, having been found to bear in the labeling, curative and therapeutic claims not justified by its composition, the Secretary of Agriculture reported the facts to the United States attorney for the District of Colorado.

On February 10, 1930, the said United States attorney filed in the District Court of the United States aforesaid a libel praying seizure and condemnation of 29 dozen packages of menthol inhalers, remaining in the original unbroken packages in Denver, Colo., consigned by the Walgreen Co., Chicago, Ill., alleging that the article had been shipped from Chicago, Ill., on or about June 18, 1929, and had been transported from the State of Illinois into the State of Colorado, 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 of menthol.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the package label and in the accompanying display card were false and fraudulent: (Package) "Menthol Inhaler Relieves Instantly Asthma, Hay Fever, Neuralgia * * * Catarrh, Influenza, Sore Throat, Headache, etc.;" (display cards) "Menthol Inhaler Relieves * * * Influenza, Hay Fever, Sore Throat, Headache, Asthma, Catarrh."

On June 26, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the labels and display cards be destroyed and the product sold by the United States marshal. The decree further provides that if no buyer be found for the product that it be destroyed.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17626. Misbranding of No. 1 Tonic Force, No. 5 Tonic Force, Zarpas Tonic Force tablets, Zarpas Ointment No. 1, and Zarpas Ointment No. 2. U. S. v. 3 Jars of No. 1 Tonic Force, et al. Default decrees of condemnation and destruction. (F. & D. Nos. 24863 to 24867, incl. I. S. Nos. 033811 to 033815, incl. S. No. 3088.)

Examination of samples of the herein described drug products having shown that the labels bore claims of curative and therapeutic effects that the article