

Benefit of Persons afflicted with Rheumatism in any of its various forms, we confidently offer * * * Rheumatic Remedy One That Can Be Relied Upon For Gout, Lumbago, Stiff, Swollen and Tender Joints, Crick in the Back, Stiff Neck, and other forms of Rheumatism. * * * Rheumatic Remedy * * * Directions: For Acute Rheumatism * * * In the treatment of chronic cases."

On January 30, 1931, no claimant having appeared for the property, judgment was entered finding the product misbranded, and it was ordered by the court that the said product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17973. Misbranding of McCormick's cold and pain salve. U. S. v. 46 Jars of McCormick's Cold and Pain Salve. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25519. I. S. No. 14501. S. No. 3768.)

Examination of samples of a drug product, known as McCormick's cold and pain salve, having shown that the labels bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture reported to the United States attorney for the Northern District of Georgia the herein-described shipment of a quantity of the product located in Rome, Ga.

On or about January 6, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 46 jars of McCormick's cold and pain salve, remaining in the original unbroken packages at Rome, Ga., alleging that the article had been shipped by McCormick & Co. (Inc.), from Baltimore, Md., on or about November 23, 1930, and transported from the State of Maryland into the State of Georgia, 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 petrolatum containing volatile oils including camphor, menthol, pine oil, and thyme oil.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the bottle and carton labels and in the accompanying booklet, regarding the curative and therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle) "For * * * Catarrh, etc. * * * For Eczema, * * * or other inflammation of the skin. * * * McCormick's * * * Pain Salve * * * For * * * Bronchitis, Pneumonia, etc. If pneumonia or other serious complications are suspected, call a physician at once. * * * Repeat treatment every three or four hours. Sore Throat, * * * Coughs, Whooping Cough;" (carton) "Pain Salve * * * Valuable in the treatment * * * Sore Throat, LaGrippe, Pneumonia, * * * Skin Irritations. * * * Internally, by the Inhalation of the wonderfully healing vapors which it evolves, McCormick's Salve penetrates the most minute recesses of the nose, throat, lungs and bronchial tubes, allaying pain and reducing inflammation wherever it reaches. * * * Useful in all forms of Inflammation such as Asthma, Bronchitis, Catarrh * * * Coughs, Hay Fever, La Grippe, Pneumonia, Sore Throat, Whooping Cough, * * * Boils and * * * Eczema, * * * Headache, Neuralgia, Rheumatism Piles;" (booklet) "Pain salve. Valuable in the treatment of * * * sore throat, La Grippe, Pneumonia, Aches and Pains, * * * Pain Salve is primarily an inhalent treatment for diseases of the lungs and air passages of an inflammatory character. The highly aromatic and healing vapors which it evolves, penetrate and carry their virtues to the most minute recesses of the affected organs."

On January 27, 1931, 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.*

17974. Adulteration and misbranding of ether. U. S. v. 10 Cases of Ether. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 24128. I. S. No. 03958. S. No. 2364.)

Examination of samples of ether from the herein-described shipment showed that it did not conform to the United States Pharmacopoeia, since peroxide and excessive acid were found in the said samples.

On October 9, 1929, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 10 cases, each containing four hundred $\frac{1}{4}$ -pound tins of ether, remaining in the original unbroken packages at Bayway, N. J., alleging that the article had been shipped from Philadelphia, Pa., on or about September 14, 1929, and had been transported from the State of Pennsylvania into the State of New Jersey, and charging adulteration and misbranding in violation of the food and drugs act. The article above described was a lot of ether which had been shipped by the Milton Elias Co., Elizabeth, N. J., to Philadelphia, Pa., on August 30, 1929, and shipped back by the consignee.

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of purity as determined by the test laid down in the said pharmacopoeia official at the time of investigation, and its own standard was not stated upon the container. Adulteration was alleged for the further reason that the article fell below the professed standard under which it was sold, namely, "It is superior in vital respects to the ether of the U. S. P."

Misbranding was alleged for the reason that the statements appearing on the label, "The best that can be made for anaesthesia" and "It is superior in vital respects to the ether of the U. S. P." were false and misleading.

On March 13, 1931, by consent of the claimant, 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.*

17975. Misbranding of Grimault & Co.'s syrup of hypophosphite of lime. U. S. v. 49 Bottles of Grimault & Co.'s Syrup of Hypophosphite of Lime. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25635. I. S. No. 5731. S. No. 3882.)

Examination of samples of a drug product, known as syrup of hypophosphite of lime, from the herein-described shipment having shown that the labels bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Porto Rico.

On January 13, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 49 bottles of Grimault & Co.'s syrup of hypophosphite of lime, alleging that the article had been shipped on or about July 12, 1930, by Yglesias & Co. (Inc.), New York, N. Y., to San Juan, P. R., and that it was being sold and offered for sale in Porto Rico, by the Drug Co. of Porto Rico (Inc.), San Juan, P. R., 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 calcium hypophosphite, morphine sulphate (1/22 grain per fluid ounce), sugar, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing on and within the package containing the said article, regarding its curative or therapeutic effects, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (In English and their equivalent in French, Spanish, and Italian) "Employed with success in Pulmonary Phthisis, Asthma, Affections of the Lungs, Liver, Spleen, Etc., Etc. For a long time, physicians and chemists have been on the lookout for a medicine capable of combatting the terrible disease that is known under the name of Pulmonary Phthisis; thousands of prescriptions and new combinations have been proposed successively but useless; * * * one of them wrote the following: 'I started my tests with half a grain of hypophosphite of calcium, and slowly, I took six grains at a time without feeling any inconvenience.' * * * 'Convinced of its harmless character at this dose, I tried it for the first time on March 13, 1885, on a young woman of nineteen, suffering from acute tuberculosis as a result of parturition. The two lungs were completely infiltrated with tubercles in a softening state; there existed swelling of the abdomen with acute pains on pressure, intense fever, extreme prostration, in fact, all the symptoms of a peritonitis tending rapidly towards a fatal end. Thanks to the hypophosphite of calcium, the patient was able to rise at the fourth day and asked to eat. The change was so rapid and the improvement of all the symptoms in general