

the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the American Pharmaceutical Co., from New York, N. Y., on or about January 9, 1931, and had been transported from the State of New York into the State of Massachusetts, 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 the tablets contained in each, acetanilid (1.45 grains), quinine sulphate (0.4 grain), caffeine (0.13 grain), monobromated camphor, and an extract from a laxative plant drug such as cascara sagrada.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the display carton and on the box, 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: "Indicated in the Treatment of Coughs \* \* \* La Grippe."

On May 14, 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.*

**18499. Misbranding of Phosphorcin. U. S. v. 5 5/6 Dozen Bottles of Phosphorcin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26189. I. S. No. 15794. S. No. 4479.)**

Examination of a drug product, known as Phosphorcin, having shown that certain statements appearing in the accompanying circular represented that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported to the United States attorney for the District of Massachusetts the interstate shipment herein described, involving a quantity of the product located at Boston, Mass.

On April 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 5 5/6 dozen bottles of Phosphorcin, remaining in the original, unbroken packages at Boston, Mass., alleging that the article had been shipped by Eimer & Amend, from New York, N. Y., on or about February 14, 1931, and had been transported from the State of New York into the State of Massachusetts, 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 glycerophosphate, sodium glycerophosphate, phosphoric acid, material derived from nux vomica, and glycerin.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the said circular, regarding the curative or 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: "As a reconstructive tonic in all ailments of the nervous system; in Anemia, Chlorosis, Sexual Impotence and Debility, Phosphaturia, Athrepsia, Pellagra, Chronic Dyspepsia, Secondary Anemia, Menstrual Disturbances, Rachitis, Osteomalacia, General Debility \* \* \* it is of exceptional value in Diabetes, Albuminuria, Chronic Nephritis and General Paralysis. \* \* \* While a deficiency of phosphorus is manifested by different pathological conditions in different individuals, generally speaking, this lack is soon followed by interrupted growth, a lessening in healthy nutrition, and a diminution of the number of red cells in the blood, which leads to various conditions, such as anemia, chlorosis, metabolic diseases, and many other asthenic forms which accompany lowered resistance and impaired nutrition and growth. \* \* \* Phosphorcin is an elementary phosphorus of high assimilability. \* \* \* Phosphorcin supplies a scientific method of administering phosphorus in a form that will be quickly absorbed, and properly assimilated by the body cells. \* \* \* highly efficient one in the treatment of depressed conditions of the nervous system, as well as in the convalescent period following neurasthenia, influenza and other febrile diseases."

On May 14, 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.*