

Analysis of a sample of the article by this department showed that it consisted essentially of volatile oils, chiefly turpentine oil.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article, appearing on the carton and bottle labels and in the circular, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "A Compound for the Throat, Chest, Lungs, Nasal Organs, Sciatica, Lumbago, Stiffness and Backache. * * * A Compound for Headache, Toothache, Earache, Coughs * * * Catarrh, Croup, Sore Throat, Hoarseness, Bronchitis, Whooping Cough, Influenza, Asthma, Neuralgia, Catarrhal Deafness and Rheumatism;" (bottle) "For Headache, Toothache, Earache, Coughs, * * * Catarrh, Croup, Sore Throat, Hoarseness, Bronchitis, Catarrhal Deafness, Whooping Cough, Influenza, Asthma, Hay Fever, Cramps * * * Neuralgia and Rheumatism;" (circular) "If you are afflicted with any of the following complaints Headache, Toothache, Earache, Coughs, * * * Catarrh, Croup, Sore Throat, Hoarseness, Bronchitis, Catarrhal Deafness, Whooping Cough, Influenza, Asthma, Neuralgia, Rheumatism * * * Cramps, Hay Fever * * * is usually immediate in its effects and lasting in its benefits. * * * after 30 years, with thousands upon thousands of bottles in use in this country and Europe and many thousands of unsolicited letters that tell of relief and cures, we are justified in using the strongest possible language in speaking of its virtues. * * * Directions for Using. * * * For * * * Catarrh, Catarrhal Deafness, etc., * * * Repeat many times a day until relieved. * * * For Rheumatism, Neuralgia, Sciatica, Lumbago, Sprains, * * * La Grippe, Lameness and Backache * * * allowing the Oil to be quickly absorbed and penetrate to the affected parts. In severe cases it is advisable to bandage the affected part with flannel after applying the Oil. For Coughs * * * Croup, Asthma, Sore Throat, Hoarseness, Bronchitis, Whooping Cough and Influenza, bathe the throat and lungs * * * For Earache * * * for Headache * * * For Headache when sick at the stomach * * * For Colic, Cramps or pains in the stomach or bowels. * * * [Testimonials] I have been using your Oil for rheumatism and neuralgia, and have been greatly benefited by its use. Also for headache it has no equal. We recommend it highly. * * * I have used your Oil for several years and as I have lung, throat and bronchial trouble, I feel I never could be without it. I have a great deal of trouble in cold weather with my bronchial tubes and the Oil is my first relief; and not only for that, but for rheumatic pains and numerous other complaints. I recommend * * * very highly for aches and pains of all kinds. * * * We have used * * * in the family for eight or nine years. I had bronchitis and catarrh very bad and am rid of both by the use of your Oil. * * * there is no need of having colds or lagrippe. * * * I had catarrhal deafness for over a year and tried two specialists without deriving any benefit. At this time a friend gave a half bottle of Vegetable & Hemlock Oil to my husband and before using what was in the bottle I could see a great difference. In a short time those dreadful noises in my head had disappeared. If we are in pain with toothache, sore throat or the like we use * * * also for headache, it is so penetrating. It loosens up the tubes into the ears and throat. I can truly say it is all you recommend it to be and I am always willing to recommend * * * I have found this remedy very beneficial for catarrh of the head, sick headaches and toothache and would not be without same at any time. * * * I have been a user of your * * * for a number of years as I am subject to sick headache and this Oil is the best cure I have found for headaches."

On May 11, 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.*

18682. Misbranding of Cocil-Cod. U. S. v. 7 Dozen Bottles of Cocil-Cod. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26254. I. S. No. 5770. S. No. 4546.)

The drug product Cocil-Cod was represented to contain the therapeutic principles of cod-liver oil and to possess certain other curative and therapeutic properties. Examination showed that it did not contain the principles of cod-liver oil and did not possess certain curative and therapeutic properties claimed for it on the bottle and carton labels.

On April 28, 1931, 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 the district aforesaid a libel praying seizure and condemnation of seven dozen bottles of Cocil-Cod at San Juan, P. R., alleging that the article was in possession of Serra, Garabis & Co. (Inc.), San Juan, P. R., and was being sold and offered for sale 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 extracts of plant drugs including eucalyptus, a small proportion of menthol, a trace of chloroform, alcohol (7.7 per cent by volume), sugar, and water. It contained no cod-liver oil nor cod-liver-oil extract.

It was alleged in the libel that the article was misbranded in that the name "Cocil-Cod," appearing on the carton and bottle label, and the statement on the carton, "Extract of Cod Liver," were false and misleading, since they gave the impression that the article contained the therapeutic principles of cod-liver oil. Misbranding was alleged for the further reason that the following statements on the labeling, regarding the curative or therapeutic effects of the article, were false and fraudulent; since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle, translation from Spanish) "For treating cough * * * and la grippe;" (carton, translation from Spanish) "It strengthens the patient's resistance, meanwhile its expectorant action loosens and stops the cough or the catarrh. It is recommended for obstinate cough and catarrh. For tenacious catarrh. * * * Catarrh, Cough, Influenza, and La Grippe."

On June 4, 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.*

18683. Adulteration and misbranding of ether. U. S. v. Eleven 1-Pound Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25855. I. S. No. 26273. S. No. 4099.)

Samples of ether from the shipment herein described having been found to contain peroxide, a decomposition product, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Texas.

On February 4, 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 eleven 1-pound cans of ether, remaining in the original unbroken packages at Houston, Tex., alleging that the article had been shipped by the Mallinckrodt Chemical Works, from St. Louis, Mo., on or about December 3, 1930, and had been transported from the State of Missouri into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Ether U. S. P."

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 strength, quality, and purity as determined by tests laid down in the said pharmacopoeia.

Misbranding was alleged for the reason that the statement on the label of the containers of the article, "Ether U. S. P.," was false and misleading, since the said article contained peroxide.

On July 30, 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.*

18684. Misbranding of Jones' Liniment. U. S. v. 1 2-3 Dozen Large-Sized Bottles, et al., of Jones' Liniment. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26341. I. S. No. 30501. S. No. 4635.)

Examination of the drug product Jones' liniment having shown that the carton and bottle labels and the accompanying circular contained statements representing 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 May 8, 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 1½ dozen large-sized bottles and 1½ dozen small-sized bottles of the said Jones' liniment, remaining in the original unbroken packages at Boston, Mass.,