

alleging that the article had been shipped by M. Spiegel & Sons (Inc.), from Albany, N. Y., on or about March 23, 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 petroleum distillate such as gasoline, methyl salicylate, pine-tar oil, camphor oil, and capsicum oleoresin.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, 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: (Carton) "For Rheumatic Pains, Neuralgia, Sore Throat and Quinsy, Headache (Nervous) \* \* \* Backache \* \* \* Lameness, Chilblains \* \* \*. It is good for Rheumatism, Lumbago, Neuralgia, Colic and Cramps, Headache, Earache, Cold in the Chest and Lungs, \* \* \* Gout, Sore Throat, \* \* \* Aching Feet, Inflammation \* \* \* A pain killer that will relieve these afflictions is an absolute necessity to everybody. It is the best safeguard against suffering from Accidents \* \* \* If after using it a few times the pains are still lingering, apply to the affected part a cloth wrung out in hot water and afterwards the Liniment is applied until relief is experienced;" (bottle label) "For \* \* \* Rheumatism, Neuralgia, Headache, Backache \* \* \* Lameness, Bunions, Chilblains, Colic and all Bodily Pains. \* \* \* This Liniment is used for strengthening weak back or limbs, and healing bodily pains and inflammations. \* \* \* In protracted pain a cloth moistened with the Liniment may be applied until relief is experienced;" (circular) "For Rheumatic and other pains in the joints, lower limbs or hips, apply Jones' Liniment \* \* \* Apply a cloth saturated with the Liniment to reduce inflammation and swelling. \* \* \* For Backache, pains in the sides, shoulders, stiff neck and joints, apply the Liniment \* \* \* For Neuralgia in the head, keep the temples bound up with a linen cloth saturated with Jones' Liniment, and apply it to the back of the neck and ears. \* \* \* For Nervous Headache, apply Jones' Liniment to the forehead, back of the neck behind the ears, and inhale the fumes. For Sciatica, \* \* \* For Sore Throat and Quinsy \* \* \* For Earache, \* \* \* For \* \* \* Swellings \* \* \* For Pains in Chest and Lungs \* \* \* For Bunions \* \* \* For Corns \* \* \* For \* \* \* Weak Joints and Ankles, \* \* \* For Colic, Cramps, Cholera Morbus and other internal pains \* \* \* swellings, cracked heels \* \* \* scratches, cramps or contraction of the muscles, sore throat, colic, distemper, epizootic \* \* \* and other diseases that can be reached by external application \* \* \* For the Flu, Cough \* \* \* Bronchitis \* \* \* will \* \* \* relieve \* \* \* catarrhal conditions."

On June 15, 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.*

**18685. Misbranding of Jones' Liniment. U. S. v. 11 Dozen and Five Bottles, et al., of Jones' Liniment. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26334. I. S. Nos. 16066, 16067, S. No. 4636.)**

Examination of the drug product Jones' liniment from the shipments herein described having shown that the labels represented that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Maryland.

On May 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 11 dozen and 5 bottles, small size, and 8½ dozen bottles, large size, of Jones' liniment, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the M. Spiegel Medicine Co., from Albany, N. Y., in part on or about August 16, 1930, and in part on or about November 15, 1930, and had been transported from the State of New York into the State of Maryland, 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 petroleum distillate such as gasoline, methyl salicylate, pine-tar oil, camphor oil, and capsicum oleoresin.

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) "For Rheumatic Pains, Neuralgia, Sore Throat and Quinsy, Headache (Nervous) \* \* \* Backache, \* \* \* Lameness, Chilblains, \* \* \* It is good for Rheumatism, Lumbago, Neuralgia, Colic and Cramps, Headache, Earache, Cold in the Chest and Lungs, \* \* \* Gout, Sore Throat, \* \* \* Aching Feet, Inflammation \* \* \* A pain killer that will relieve these afflictions is an absolute necessity to everybody. It is the best safeguard against suffering from Accidents \* \* \* If after using it a few times the pains are still lingering, apply to the affected part a cloth wrung out in hot water and afterwards the Liniment is applied until relief is experienced;" (bottle label) "For \* \* \* Rheumatism, Neuralgia, Headache, Backache \* \* \* Lameness, Bunions, Chilblains, Colic And All Bodily Pains, \* \* \* This Liniment is used for strengthening weak back or limbs, and healing bodily pains and inflammations. \* \* \* In protracted pain a cloth moistened with the Liniment may be applied until relief is experienced;" (circular) "For Rheumatic and other pains in the joints, lower limbs or hips, apply Jones' Liniment \* \* \* Apply a cloth saturated with the Liniment to reduce inflammation and swelling. \* \* \* For Backache, pains in the sides, shoulders, stiff neck and joints, apply the Liniment, \* \* \* For Neuralgia in the head, keep the temples bound up with a linen cloth saturated with Jones' Liniment, and apply it to the back of the neck and ears. \* \* \* For Nervous Headache, apply Jones' Liniment to the forehead, back of the neck, behind the ears, and inhale the fumes. For Sciatica, \* \* \* For Sore Throat And Quinsy \* \* \* For Earache, \* \* \* For \* \* \* Swellings \* \* \* For Pains in Chest And Lungs \* \* \* For Bunions \* \* \* For Corns \* \* \* For \* \* \* Weak Joints And Ankles, \* \* \* For Colic, Cramps, Cholera Morbus and other internal pains \* \* \* swellings, cracked heels \* \* \* scratches, cramps or contraction of the muscles, sore throat, colic, distemper, epizootic \* \* \* and other diseases that can be reached by external application \* \* \* For The Flu, Cough \* \* \* Bronchitis \* \* \* will \* \* \* relieve \* \* \* catarrhal conditions."

On June 26, 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.*

**18686. Misbranding of Mackie's pine oil. U. S. v. 72 Bottles of Mackie's Pine Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26327. I. S. No. 29929. S. No. 4645.)**

Examination of the composition and labeling of the drug product Mackie's pine oil from the shipment herein described having shown that the labeling represented that the article possessed curative, therapeutic, and germicidal properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Pennsylvania.

On May 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 72 bottles of the said Mackie's pine oil, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Johnston-Mackie Co. (Inc.), New Orleans, La., alleging that the article had been shipped from New Orleans, La., on or about February 7, 1931, and had been transported from the State of Louisiana 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 a coniferous oil. Bacteriological examination showed that the article would not kill *Staphylococcus aureus* within one hour.

It was alleged in the libel that the article was misbranded in that the following statements on the labeling were false and misleading: (Carton) "Germicidal \* \* \* put a few drops in half a glass of water and snuff up the nose every three or four hours; saturate a cloth and inhale odor through nose and mouth, leaving cloth on pillow or hung so as to inhale while asleep. \* \* \* Germicidal;" (circular) "Germicidal \* \* \* It is a scientific and thoroughly modern germicide, \* \* \* Takes the Place of Dangerous Germicides;" (bottle) "A teaspoonful in the water gives a cleansing and antiseptic bath."

Misbranding was alleged for the further reason that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label) "Skin Eruptions, \* \* \* Ordinary Sore Throat, Bronchitis, Tonsillitis, Whooping Cough, Asthma, \* \* \* Sores, \* \* \* Skin Eruptions, \* \* \* For Rheumatism, \* \* \* For Coughs, \* \* \* Sore Throat, Tonsillitis, Bronchitis, \* \* \* For Asthma;" (carton) "Directions For \* \* \* Sores, \* \* \* Skin Eruptions, \* \* \* For Coughs, \* \* \* Ordinary Sore Throat, Tonsillitis, Bronchitis, \* \* \* For Asthma \* \* \* For Whooping Cough, to produce relaxation and lessen coughing paroxysms, rub pit of stomach with Pine Oil \* \* \* For \* \* \* Many Skin Eruptions, Ordinary Sore Throat, Bronchitis, Tonsillitis, Whooping Cough \* \* \* Asthma;" (circular) "Laboratory tests show also that Mackie's Pure St. Tammany Pine Oil has an anesthetic quality equal to a 2-per cent solution of cocaine, and that, used externally as a local anesthetic, it will often ease such pains as toothache \* \* \* Skin Eruptions. \* \* \* It will take out the poison in mosquito bites, bee stings, etc. It will disinfect, \* \* \* thus promote natural healing in \* \* \* many skin eruptions. \* \* \* Sore Feet, Inflammation. \* \* \* It is helpful in reducing inflammation \* \* \* Sore Throat, Tonsillitis, Whooping Cough. Diluted as directed, it may be used with good effect as a spray or gargle for ordinary sore throat, bronchitis, tonsillitis, etc., and undiluted, rubbed on the outside. Thoroughly rubbed on the pit of the stomach, it will cause relaxation and often relieve the paroxysms in whooping cough. Asthma, \* \* \* and Nasal Catarrh. Inhaled through the nose and mouth from a cloth saturated and laid on, or hung up over the pillow at night, it relieves asthmatic congestion. It is very beneficial in cases of nasal catarrh. \* \* \* [Testimonials in circular] Since infancy I have suffered with Eczema, which seemingly was incurable. \* \* \* Constantly I have suffered with a raw spot on my great toe on my right foot. This spot was \* \* \* irritable all the time. Four nightly applications of Mackie's Pine Balm has entirely cured this particular spot. I have used two bottles of your Pure St. Tammany Pine Oil for Rheumatism and it has almost cured me. I have been limping for about eighteen months but can walk straight now. \* \* \* It was with great difficulty that I induced my wife, who is suffering from Rheumatism, and who has used every remedy on the market, to also try Mackie's Pure St. Tammany Pine Oil. I need not tell you that it gave her prompt relief, where many other so called remedies have failed. \* \* \* My little girl was in a very critical condition with Bronchial Pneumonia and her life was despaired of. It was suggested that we try Mackie's Pure St. Tammany Pine Oil, which we did, by rubbing the upper part of her body briskly with the Oil and wrapping her in warm flannels. The next day she was entirely relieved. We feel sure that Pine Oil saved her life. \* \* \* A year ago I was on the verge of nervous prostration, but due to conditions at that time was unable to take a rest of any sort, so started the massages with Pine Oil and due to its wonderful effect on my nerves, I have been able to attend to my duties as usual during the entire year, working harder than ever before, at nerve wrecking speed and heavy responsibilities. I know the inhalations of Pine Oil have been of inestimable value to my general health, and particularly so to my nervous system. \* \* \* I have used Mackie's Pine Oil on a broken arm that gets sore from heavy work, and it surely relieved me at once. \* \* \* During the past year I have been using Mackie's Pine Oil in combination with common table salt, to massage a number of my patients, who are suffering from Nervous Ailments, and have had splendid results. \* \* \* Mackie Pine Oil Co., Covington, La. Dear Mr. Mackie—I am writing you a few lines in praise of your wonderful Pine Oil. My husband was sick for one year with stomach trouble, could not eat anything but milk and wheat bread. Could not work any and spent all his earnings with doctors and medicine trying to get well, but didn't get any better. At last he took a very bad cold and sore throat. He purchased a bottle of your Pine Oil and commenced taking it about 15 drops three times a day internally. He took the risk upon himself as there was no direction on the bottle for taking it internally. In one week his cough and sore throat was well, and he began to notice his stomach was not so sore. He continued the use of the Pine Oil internally and before the bottle was gone his stomach was well. He is a well man today, can eat anything and it doesn't hurt him. He weighed 125 pounds when he began taking Pine Oil,

now his weight is 180. Others have taken it at his request and have been greatly benefited. He is never without a bottle in his pocket. Respectfully, (Signed) Name on Request. We cannot praise Pine Oil enough. It has been two years since he took the Pine Oil and his trouble has not returned."

On June 8, 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.*

**18687. Misbranding of Sassafola. U. S. v. 6 $\frac{3}{4}$  Dozen Jars of Sassafola. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26339. I. S. No. 29898. S. No. 4651.)**

Examination of samples of a drug product, known as Sassafola, showed that the jar label bore statements representing that the article possessed curative and therapeutic properties which it did not possess. Examination further showed that the product was not a preparation of sassafras oil as indicated by the name "Sassafola."

On May 7, 1931, the United States attorney for the Eastern District of Pennsylvania, 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 six and three-fourths dozen jars of the said Sassafola, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Sassafola Manufacturing Co., Elmira, N. Y., alleging that the article had been shipped from Elmira, N. Y., on or about January 2, 1931, 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 ointment with a petrolatum base, containing methyl salicylate, menthol, camphor, and eucalyptol. No sassafras oil was detected.

It was alleged in the libel that the article was misbranded in that the name of the article, "Sassafola," was false and misleading, since it indicated that the article was a preparation of sassafras oil, whereas it was not. Misbranding was alleged for the further reason that the following statements on the jar label regarding the curative or therapeutic effects of the article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "For Catarrh, Quinsy \* \* \* Canker, Cough, Sore Throat and Lungs, Croup, Pneumonia, Tonsillitis, Headache, Earache, Toothache, Rheumatism, Neuralgia, Polypus, Caked Breast, Hay Fever \* \* \* Eczema, Salt Rheum \* \* \* Piles, Sores, Etc. \* \* \* For Catarrh \* \* \* For Quinsy, Tonsillitis, Sore Throat and Lungs, Croup, Pneumonia Etc."

On May 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.*

**18688. Misbranding of Tuttle's family elixir. U. S. v. 1 $\frac{1}{2}$  Dozen Bottles of Tuttle's Family Elixir. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26326. I. S. No. 29124. S. No. 4641.)**

Examination of samples of the drug product, Tuttle's family elixir, having shown that the bottle and carton labels and the circular contained statements representing that the article possessed curative and therapeutic properties which it did not possess, also that the labeling failed to bear a statement of the quantity or proportion of alcohol contained in the article, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On May 5, 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 one and one-half dozen bottles of the said Tuttle's family elixir, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Tuttle's Elixir Co., Boston, Mass., on or about April 6, 1931, and had been transported from the State of Massachusetts into the State of New York, 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 volatile oils including camphor and a coniferous oil, ammonia, ox gall, alcohol (29.8 per cent by volume), and water.