

* * * Bronchitis in its simple form, is an inflammation or irritation of the mucous membrane lining the air passages, manifested by hoarseness, cough, occasionally soreness in the chest. Whooping Cough is rather more violent and spasmodic than in ordinary colds, and not until ten to fourteen days does it assume the true distinctive form of whooping cough, with severe attacks of cough in rapid succession, followed by a deep inhalation or whoop, this disease, if uncured, will continue from six to twelve or even fourteen weeks. * * * Cough Medicine * * * Coughs * * * Whooping Cough and affections of the Bronchial Tubes. In the treatment of Whooping Cough it appears to not only quickly relieve the severity of the attack of spasmodic coughing but to practically limit it in its incipency if given when the disease is just beginning;" (bottle, both sizes) "Cough and Whooping Cough Syrup * * * For Coughs, * * * Bronchitis, Whooping Cough, and Throat Troubles. * * * Directions: * * * A full dose is a teaspoonful with or without water, and as improvement progresses give less frequently [similar directions in foreign language]."

On November 27, 1931, James R. Angell, New Orleans, La., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$75, conditioned in part that it be relabeled, and should not be sold or disposed of contrary to the Federal food and drugs act, and other existing laws.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18943. Adulteration and misbranding of Ergotole. U. S. v. 18 Bottles of Ergotole. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26972. I. S. No. 38030. S. No. 5186.)

Examination of the drug product Ergotole having shown that the article was represented to have the same potency as fluid extract of ergot, whereas it had a potency equivalent to not more than one-fifth of that required by the pharmacopoeia for fluid extract of ergot, the Secretary of Agriculture reported the matter to the United States attorney for the District of New Jersey.

On September 16, 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 eighteen 1-ounce bottles of the said Ergotole, remaining in the original unbroken packages at Trenton, N. J., alleging that the article had been shipped by Sharp & Dohme (Inc.), from Philadelphia, Pa., on or about May 26, 1931, 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 as amended.

Analysis of a sample of the article by this department showed that the potency of 1 cubic centimeter of the article was equivalent to not more than one-fifth of the potency for fluid extract of ergot required by the United States Pharmacopoeia.

It was alleged in the libel that the article was adulterated in that it was sold under its own standard of strength, to wit, (circular) "Ergotole is biologically assayed by the cock's comb method and standardized to the same potency as the Fluidextract of Ergot," and the strength of the said article fell below such professed standard, in that its potency was less than so represented.

Misbranding was alleged for the reason that the statements appearing in the circular accompanying the article, "Ergotole is biologically assayed by the cock's comb method and standardized to the same potency as the Fluidextract of Ergot. The chief use for Ergotole is to excite uterine contraction and to check uterine hemorrhage. It is therefore indicated for use in the third stage of labor," were false and misleading when applied to an article the potency of which was less than that represented.

On October 7, 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.*

18944. Misbranding of S. B. Kitchel's Liniment. U. S. v. 4 Dozen 16-Ounce Bottles and 2 Dozen 32-Ounce Bottles of S. B. Kitchel's Liniment. Default decree of condemnation, forfeiture, and destruction. F. & D. No. 27372. I. S. Nos. 37921, 37922. S. No. 5541.)

Examination of a drug product, known as S. B. Kitchel's liniment, from the shipments herein described having shown that the bottle labels and accompanying circular bore statements representing that the article possessed curative and