

massage the flesh firmly but gently with the fingers. * * * Recommended by us in the Treatment of Neuralgia, Sciatica, Neuralgia, Headache;" (remainder of cartons) "Recommended by us in the Treatment of Neuralgia, Sciatica, Neuralgia, Headache, Toothache * * * Recommended by us in the Treatment of Muscular Rheumatism, Lumbago, Acute Pleurisy * * * Bronchial Cough * * * In Muscular Rheumatism massage the flesh firmly but gently with the fingers. * * * Recommended by us in the treatment of Neuralgia, Sciatica, Neuralgia, Headache;" (portion of circulars) "I have a baby and have always used it on her for * * * stomach trouble and have never had to have a doctor in my house. She will soon be three years old. * * * Use it for all pains * * * and is great for sick stomach, as one or two applications will relieve it;" (remainder of circulars) "It Tends to Relieve Inflammation and to Allay Pain. * * * The * * * Healing Liniment * * * Don't Neglect a Cold—an Ache or a Pain as a cold is the forerunner of sickness and human ailments. * * * Please send me one quart of Eucalyptus Oil Compound at once, as have 'Flu' in my family now. * * * I use it for everything. * * * I have a baby and have always used it on her for colds and stomach trouble * * * Use it for all pains * * * and is great for sick stomach, as one or two applications will relieve it. * * * Have tried it on a sore kidney (loose) and have had wonderful results. * * * It is the only thing we find to kill pain."

On February 29, 1932, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19178. Misbranding of Hulbert's Phospho-Nux. U. S. v. 11 Dozen Boxes, et al., of Hulbert's Phospho-Nux. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 26099, 26457. I. S. Nos. 15792, 28593. S. Nos. 4361, 4701.)

Examination of a drug product, known as Hulbert's Phospho-Nux, from the shipments herein described having shown that the article contained but a negligible quantity of phosphorus and that the labels bore statements representing 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 Massachusetts.

On March 24 and May 29, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 19½ dozen boxes of Hulbert's Phospho-Nux, remaining in the original unbroken packages at Boston, Mass. On May 26, 1931, the United States attorney filed an amendment to the libel of March 24. It was alleged in the libels that the article had been shipped by N. E. Hulbert & Co., from New York, N. Y., in part on or about January 31, 1931, and in part on or about February 6, 1931, and had been transported in interstate commerce from the State of New York into the State of Massachusetts, and that it was misbranded 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 nux vomica, phosphorus (0.011 gram per 100 milliliters), chloroform, alcohol, and water.

Misbranding of the article was alleged in the libels for the reason that the statement on the carton and bottle label, "Phospho-Nux," was false and misleading, since the quantity of phosphorus contained in the article did not warrant the use of the word "Phospho." 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) "Cerebro-Spinal Tonic Acting upon the nutrition of the cerebral and spinal centres, restoring nerve tone and correcting disturbances of the nerve functions;" (carton) "A Prompt and Powerful Cerebro-Spinal Tonic and Restorative * * * Brain and Nerve Tonic;" (circular) "A Prompt and Powerful Cerebro-Spinal Tonic * * * Acting upon the nutrition of the cerebral and spinal centers, restoring nerve tone and correcting disturbances of the nerve functions. * * * will be found of incalculable service in that class of cases, the symptoms of which depend upon brain and nerve exhaustion and impaired nerve functions. Through its action upon the nerve centers it also influences markedly the digestive processes and nutrition, relieving Vertigo and Indigestion. Its use is indicated in any ab-

normal condition dependent upon or unfavorably influenced by a lack of brain power or nerve tone. Some suggestions for its use are Diabetes, Chorea, Neurasthenia, * * * Paralysis, Arterio Sclerosis, the early stages of Tubercular Diseases, General Debility, Sleeplessness dependent upon anaemia or nerve exhaustion, Nervous and Sick Headache. It will be found particularly serviceable in the exhaustion and nervous sequelae of Malaria. * * * [Testimonials] * * * Paralysis * * * I have found it most efficacious in cases of flagging nerve energy, persistent neuralgias, and partial paralysis. * * * Nerve Disorders. * * * Diabetes. * * * Neurasthenia."

On February 9, 1932, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19179. Adulteration and misbranding of medicated stock salt. U. S. v. 1,125 Pounds of Medicated Stock Salt. Default decree of destruction entered. (F. & D. No. 27086. I. S. No. 18752. S. No. 5244.)

Examination of a drug product, known as medicated stock salt, from the shipment herein described having shown that the article contained no potassium iodide, and but negligible amounts of yeast, cod-liver oil, and Epsom salts, which were represented in the labeling to be ingredients of the article, the Secretary of Agriculture reported the matter to the United States attorney for the District of Minnesota.

On October 23, 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 1,125 pounds of medicated stock salt, remaining in the original unbroken packages at Argyle, Minn., alleging that the article had been shipped by the National Feeders Corporation, from Tiffin, Ohio, on or about June 13, 1931, and had been transported from the State of Ohio into the State of Minnesota, and charging adulteration and misbranding in violation of the food and drugs act.

Analysis of a sample of the article by this department showed that it consisted essentially of sodium chloride (88.0 per cent), oily material (0.5 per cent), sulphate, plant material including wheat bran and traces of quassia and fenugreek; potassium iodide and yeast were not present.

It was alleged in the libel that the article was misbranded in that the statements on the label, "Yeastolized * * * contains yeast * * * cod liver oil * * * potassium iodide * * * Epsom salts," were false and misbranded (misleading) in that the article contained no potassium iodide and in that the quantity of yeast, cod-liver oil, and Epsom salts were so slight as to be negligible.

It was further alleged in the libel that the article was adulterated. The adulteration charge recommended by this department was that the article fell below the professed standard under which it was sold, since it was sold under the following standard, "Contains Potassium Iodide," whereas it contained no potassium iodide.

On January 11, 1932, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19180. Adulteration and misbranding of Pyorrhine tooth powder No. 2 and Pyorrhine tooth powder No. 1. U. S. v. 3 Dozen Packages of Pyorrhine Tooth Powder No. 2 and 3 Dozen Packages of Pyorrhine Tooth Powder No. 1. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 26965, 26966. I. S. Nos. 22314, 22315. S. No. 5158.)

Examination of Pyorrhine tooth powder No. 2 and Pyorrhine tooth powder No. 1 showed that the labeling represented that the articles possessed antiseptic properties, whereas they were not antiseptic. The labelings also bore unwarranted curative and therapeutic claims.

On September 15, 1931, the United States attorney for the Western District of Washington, 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 three dozen packages of Pyorrhine tooth powder No. 2, and three dozen packages of Pyorrhine tooth powder No. 1, remaining in