medicine to my suffering friends.' * * * 'My little daughter, Dorothy June, had always been a delicate and sickly child, very peevish and fretful, always under the doctor's care until August, 1923, when the Beam Medicine was recommended to us, of which we purchased and used and are so thankful for it, and she is now a fine and healthy child. As for myself, having been a sufferer for a number of years with bad headaches and complications of troubles, gall and liver, also kidney troubles, rheumatism, I have found perfect relief in using the Beam Medicine and recommend it very highly as a family medicine.' * * * There are hundreds of children that need this medicine and would derive great benefit from it. The longer you wait, the more medicine it will take to relieve your suffering. After reading this circular, and it is nothing you need, will you be so kind as to hand it to or send it to some suffering friend? They no doubt will appreciate your kindness; and we also thank you in advance for helping us to relieve the suffering."

On June 24, 1932, 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.*

19483. Misbranding of Dr. Carey's Lifetone prescription and Dr. Carey's Marshroot laxative pills. U. S. v. 77 Packages of Dr. Carey's Lifetone Prescription. Default decree of destruction entered. (F. & D. No. 27293. I. S. No. 47083. S. No. 5444.)

Examination of a shipment of a number of packages of a drug product, known as Dr. Carey's Lifetone prescription, each package containing a sample of Dr. Carey's Marshroot laxative pills, showed that the articles contained no ingredients or combinations of ingredients capable of producing certain curative and therapeutic effects claimed in the statements appearing in the labeling.

On November 25, 1931, the United States attorney for the Southern District of Mississippi, 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 77 packages of Dr. Carey's Lifetone prescription, each package containing a sample package of Dr. Carey's Marshroot laxative pills, remaining in the original unbroken packages at Vicksburg, Miss. It was alleged in the libel that the articles had been shipped in interstate commerce by the Gallagher Drug Co., from Dayton, Ohio, to Vicksburg, Miss., on or about January 22, 1931, and that they were misbranded in violation of the food and drugs act as amended.

Analyses by this department of samples of the articles showed that Dr. Carey's Lifetone prescription consisted of pills containing ferrous carbonate, strychnine, zinc phosphide, and juniper oil; and that the Marshroot laxative pills contained aloe and podophyllum extract.

Misbranding of the articles was alleged in the libel for the reason that the following statements regarding the curative and therapeutic effects of the said articles were false and fraudulent: (Lifetone prescription, bottle) "Lifetone;" (carton) "Lifetone * * * indicated in the treatment of General Debility, Weakness, Brain Fag and Weak Nerves * * * after severe illness when the strength and vitality is low * * * Lifetone * * * quickly overcomes physical or mental exhaustion replacing that heavy dull and tired feeling with buoyancy and a desire for action * * * Lifetone * * * assist nature to rebuild the rundown nervous system restoring strength and enriching the blood;" (laxative pills, envelope) "Sufferers from Kidney or Bladder Troubles who are bothered with * * * torpid liver."

On May 17, 1932, no claimant having appeared for the property, a decree was entered adjudging that the product should be condemned, and ordering that it be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19484. Adulteration and misbranding of fluidextract ergot. U. S. v. Fourteen 1-Pint Bottles of Fluidextract Ergot, U. S. P. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 28240. I. S. No. 48819. S. No. 6112.)

Samples of fluidextract of ergot, taken from the interstate shipment involved in this action, were found to possess a potency of less than one-third that required by the United States Pharmacopoeia for the product. The article was represented to be a pharmacopoeial product, and bore labeled directions for dosage based on its purported potency, and because of its low potency

would not produce the therapeutic effects claimed when administered according to directions.

On April 22, 1932, the United States attorney for the District of New Jersey, 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 fourteen 1-pint bottles of the said fluidextract of ergot, remaining in the original unbroken packages at Newark, N. J., alleging that the article had been shipped by the American Pharmaceutical Co. (Inc.), New York, N. Y., on or about April 5, 1932, and had been transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Fluid Extract Ergot, 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 as determined by the test laid down in the said pharmacopoeia, and its own standard of strength was not stated on the container.

Misbranding was alleged for the reason that the statement on the label, "Fluid Extract Ergot, U. S. P.," was false and misleading. Misbranding was alleged for the further reason that the following statements appearing on the label, regarding the curative or therapeutic effects of the article, were false and fraudulent, since the preparation in the dose stated on the label would not produce the effects claimed: "Action—A powerful stimulant of involuntary muscles especially those of the uterus. An active vaso-constrictor and circulatory stimulant. Uses—Checks postpartum hemorrhage by contracting the uterus. As a routine prophylactic measure against postpartum hemorrhage. For the relief of menorrhagia, metrorrhagia, some forms of dysmenorrhea, and atonic conditions of the reproductive organs. Also as a circulatory stimulant. Dose—Average U. S. P.—30 minims (2 cc.)."

On May 25, 1932, 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.*

19485. Misbranding of Lillibeck's Antiseptic Aseptine. U. S. v. 6 Dozen Bottles, et al., of Lillibeck's Antiseptic Aseptine. Default decrees of condemnation and destruction. (F. & D. Nos. 27721, 27722. I. S. Nos. 24373, 24374. S. No. 5784.)

Examination of a drug product, known as Lillibeck's Antiseptic Aseptine, from the interstate shipments herein described disclosed no ingredient or combination of ingredients capable of producing the curative and therapeutic properties claimed for it in the labeling.

On February 11, 1932, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 63 dozen bottles of Lillibeck's Antiseptic Aseptine at Mobile, Ala., alleging that the article had been shipped by McKesson Van Vleet Corporation, in part from Jackson, Miss., on or about August 8, 1931, and in part from Vicksburg, Miss., on or about December 12, 1931 and had been transported from the State of Mississippi into the State of Alabama, and charging misbranding in violation of the food and drugs act as amended. (The records of this department indicate that the shipment from Vicksburg was made by the Vicksburg Chemical Co., on or about December 2, 1931, and the shipment was so reported to the United States attorney.)

Analysis of a sample of Lillibeck's Antiseptic Aseptine by this department showed that the article consisted essentially of small proportions of volatile oils including menthol and peppermint oil, traces of tannin and ethyl nitrite, alcohol, and water.

It was alleged in the libels that the article was misbranded in that the following statements appearing on the bottle label and carton were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label) "Recommended for Rheumatism, Neuralgia * * * and Wounds of All Kinds;" (carton) "For Wounds of Every Description on [picture illustrating gunshot wounds] Man or Beast * * * For Rheumatism, Neuralgia of the face * * * Gargle for sore throat * * * all kinds of Wounds."