

**20582. Misbranding of Masterex. U.S. v. 46 Bottles of Masterex. Default decree of condemnation and destruction. (F. & D. no. 28917. Sample no. 2747-A.)**

Examination of the drug preparation Masterex disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the label of the package.

On September 22, 1932, the United States attorney for the District of South Dakota, 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 46 bottles of Masterex at Yankton, S.Dak., alleging that the article had been shipped in interstate commerce on or about April 11, 1932, by the Master Laboratories, Inc., from Omaha, Nebr., to Yankton, S.Dak., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Package) "For diarrhoea and bowel disorders in poultry."

Analysis of a sample of the article by this Department showed that it consisted essentially of cajuput oil, petroleum oil, petrolatum, nicotine sulphate, calcium chloride, hydrochloric acid, and water.

It was alleged in the libel that the article was misbranded in that certain statements appearing in the labeling falsely and fraudulently represented that it contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On February 16, 1933, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

**20583. Misbranding of Moses' Herb Expectorant and Moses' Herb Discovery. U.S. v. Moses Remedy Co. Plea of guilty. Fine, \$10 and costs. (F. & D. no. 27537. I.S. nos. 15921, 15922, 15966.)**

Examination of the drug preparations, Moses' Herb Expectorant and Moses' Herb Discovery, disclosed that the articles contained no ingredients or combinations of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. The Moses' Herb Discovery contained less alcohol than declared on the label.

On July 11, 1932, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the Moses Remedy Co., a corporation, Cambria, Va., alleging shipment by the said company in violation of the Food and Drugs Act as amended, from the State of Virginia into the State of North Carolina on or about June 15, 1931, of quantities of Moses' Herb Expectorant and Moses' Herb Discovery, and on or about August 21, 1931, of a quantity of Moses' Herb Discovery, which said articles were misbranded.

Analyses of samples of the articles by this Department showed that Moses' Herb Expectorant consisted essentially of extracts of plant drugs, including horehound and wild cherry, sugar, and water; and Moses' Herb Discovery consisted essentially of extracts of plant drugs, alcohol (7.2 percent by volume), sugar, and water.

Misbranding of Moses' Herb Expectorant was alleged in the information for the reason that certain statements, designs, and devices regarding the curative and therapeutic effects of the article, appearing on the bottle and carton labels, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for coughs, croup, asthma, and bronchitis; and effective, when taken in connection with Moses' Herb Discovery, as a relief for tuberculosis. Misbranding of Moses' Herb Discovery was alleged for the reason that certain statements, designs, and devices regarding its curative and therapeutic effects, appearing on the bottle and carton labels, falsely and fraudulently represented that it was effective to remove diseases of the blood and to rouse the torpid liver to action; effective as a remedy for the diseases of women, effective as a remedy for croup, asthma, coughs, bronchial trouble, tuberculosis, and all diseases of the throat, chest, and lungs, effective to build up a run-down system and to make the sick well by eliminating all poisonous waste, toning up the liver and clearing the intestines of unused food wastes; and effective when taken in connection with Moses' Herb Expectorant as a relief for tuberculosis, coughs, bronchial troubles, and throat diseases. Misbranding of Moses' Herb Discovery was alleged for the further reason that the statement, "Not over