

interstate commerce, on or about November 1, 1932, by Superior Medicated Products Corporation from New York, N.Y., 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 stramonium leaves prepared in the form of cigarettes.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative and therapeutic effects of the article, were false and fraudulent: (Carton) "* * * Relievers instantly relieve Asthma, Hay Fever, Bronchitis, Catarrh * * * Sore Throat and all ailments of the throat, nose, lungs, and respiratory tract. For instantaneous relief in any of these ailments, light up an Astra just the same as a cigarette, inhale deeply, and after a few seconds, slowly let the smoke out through the nostrils. In this way the smoke reaches all the affected parts * * * and opens up the air passages"; (wrapper) "Instant relief for asthma, catarrh, hay fever"; (display carton) "Asthma Relievers * * * A sure relief from Asthma, Hay Fever, Bronchial Ailments."

On July 13, 1933, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*

21246. Adulteration and misbranding of mineral oil. U. S. v. 10 Gross Bottles of Imported Russian Mineral Oil. Consent decree ordering product released under bond to be relabeled. (F. & D. no. 30074. Sample no. 31656-A.)

This case involved a quantity of light mineral oil. The article was represented to be heavy mineral oil. It also was falsely labeled as to the name of the manufacturer and the State in which it was made.

On April 13, 1933, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10 gross bottles of mineral oil at New York, N.Y., alleging that the article had been shipped in interstate commerce on or about March 25, 1933, by the Gibson-Howell Sales Co., from Jersey City, N.J., and charging adulteration and misbranding in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that its purity fell below the professed standard and quality under which it was sold, namely, "Russian Mineral Oil Heavy."

Misbranding was alleged for the reason that the name, "Russian Mineral Oil Heavy", borne on the label, was false and misleading, since it tended to create the impression that the article was heavy liquid petrolatum as defined in the United States Pharmacopoeia, whereas it was not heavy liquid petrolatum. Misbranding was alleged for the further reason that the statement on the label, "Honor Research Laboratories, New York, Chicago", was false and misleading with respect to the identity and location of the producer or packer; and in that the article was falsely branded as to the State in which it was manufactured or produced.

On July 21, 1933, the Gibson-Howell Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree condemning the goods, judgment was entered ordering that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$300, conditioned that the labels be removed under the supervision of this Department, and that it be relabeled in part: "Light Mineral Oil 1 Pint Packed by Gibson-Howell Co., of Jersey City."

M. L. WILSON, *Acting Secretary of Agriculture.*

21247. Misbranding of Dr. E. A. Welters Wonderful Tooth Powder. U. S. v. 60 Packages of Dr. E. A. Welters Wonderful Tooth Powder. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30464. Sample no. 35592-A.)

Examination of Dr. E. A. Welters Wonderful Tooth Powder disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the carton and can labels.

On May 15, 1933, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 60 packages of Dr. E. A. Welters Wonderful Tooth Powder at New Orleans, La., alleging that