filed in the district court libels praying seizure and condemnation of 96 tins of Ergot-Apiol A.P.C. at Scranton, Pa., and 24 tins of the product at Wilkes-Barre, Pa., alleging that the former had been shipped in interstate commerce, on or about April 4 and April 5, 1933, by the American Pharmaceutical Co., Inc., from New York, N.Y., to Scranton, Pa., and that the latter had been shipped on or about June 19, 1933, by the said American Pharmaceutical Co., Inc., through the Biddle Purchasing Agency, from New York, N.Y., to Wilkes-Barre, Pa., 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 essentially of material derived from plants including a nonvolatile oil such as apiol, a volatile oil such as savin oil, and a small proportion of ergot alkaloids.

It was alleged in the libels 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: (Display carton accompanying portion) "For Amenorrhea, Dysmenorrhea and Menstrual Disorders"; (tin container, all lots) "In the treatment of amenorrhea, dysmenorrhea and menstrual disorders"; (circular accompanying all lots) "For Amenorrhea, Dysmenorrhea and Menstrual Disorders * * * For the Treatment of Menstrual Disorders Relieves Pain * * * for use in the treatment of Menstrual disorders * * * Ergot-Apiol A.P.C. is of value, and in general is indicated, in the conditions described below. * * * Amenorrhea—When menstrual flow is absent or scanty as a result of shock, exposure, or nervous strain, 1 capsule should be given 3 times a day for 3 days, then increased to 2 capsules 3 times a day until flow has been established, when it is reduced to one capsule twice a day. Dysmenorrhea—In cases where the complaint is chronic Ergot-Apiol should be taken a few days in advance of the period and continued until the flow has ceased. In most cases one capsule 4 times a day is sufficient, but when pain is unusually severe 2 capsules may be given 4 times a day. Menorrhagia—When the flow is excessive, resulting in weakness and lack of energy, one capsule may be administered 4 times a day. Menostasis—to re-establish the flow 2 tablets may be administered 3 or 4 times a day, in conjunction with frequent sitz baths if preferred. Menopause—Ergot-Apiol will be found an aid in easing the disturbances attending final cessation of the menstrual functions. One capsule two or three times a day is advised."

On October 11, 1933, the American Pharmaceutical Co., Inc., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered with a provision that the product might be released under bond conditioned that it be correctly labeled. On February 2, 1934, the claimant having filed bonds but having failed to comply with the provisions of the decrees, the court ordered that the product be destroyed by the United States marshal, and that judgments be entered on the bonds for costs.

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

**21530. Misbranding of Carpathian Herb Tea. U. S. v. Mrs. Satie Kaidasz (Polonia Medicine Co.). Plea of guilty. Fine, $50.** (F. & D. no. 28083. I.S. nos. 30533, 39400.)

Examination of the drug preparation, Carpathian Herb Tea, disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the packages and in the circulars shipped with the article.

On May 26, 1933, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Mrs. Satie Kaidasz, trading as the Polonia Medicine Co., Philadelphia, Pa., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about February 4, 1931, from the State of Pennsylvania into the State of Massachusetts, and on or about January 7, 1932, from the State of Pennsylvania into the State of New York, of quantities of Carpathian Herb Tea which was misbranded.

Analysis of a sample of the article by this Department showed that it consisted essentially of senna leaves, juniper berries, chamomile flowers, fennel seed, pennyroyal herb, and sweet orange peel.

It was alleged in the information that the article was misbranded in that certain statements, designs, and devices, appearing on the package label,

falsely and fraudulently represented that the article was effective as a treatment, remedy, and cure for dizziness, indigestion, skin eruptions, and female complaints; for the further reason that certain statements in English and Polish contained in circulars accompanying a portion of the article falsely and fraudulently represented that it was effective as a valuable system purifier; effective to promote a regular action of the stomach, liver, and kidneys; effective as a reliable treatment for that run down and tired feeling and where organs fail to function and cause various sicknesses; effective as a treatment, remedy, and cure for disorders of the stomach, liver, kidneys, and bladder, loss of appetite, dizziness, coughs, indigestion, pale complexion, and sleeplessness; effective as a valuable treatment for weakness, pain in the limbs, rheumatism, gout, impure blood, skin diseases and female complaints, chills, coughs, hoarseness, influenza, phlegm and headache; effective as a blood purifier and liver regulator; effective as a remedy for kidney trouble, skin diseases, boils and pimples; effective to restore a clear and healthy complexion to the skin; effective as a remedy for female complaints, imperfect or irregular menstruation; effective as a blood cleanser and regulator of stomach, liver and kidneys; effective as a remedy for lung troubles, stomach troubles, kidney and liver troubles, weakness, cold in joints, unhealthy blood, skin diseases, painful urination and stoppage of perspiration, fever, rheumatism, sore throat, skin eruptions, boils, toothache, earache, swelling of the joints, and cold in kidneys; and for the further reason that certain statements, in English and Polish, contained in circulars accompanying the remainder falsely and fraudulently represented that the article was effective as a valuable system purifier; effective to promote the regular action of the stomach; effective as a treatment for that rundown and tired feeling; effective to promote the regular functioning of the organs, the movement of the bowels, and the free passing of urine; effective to cause natural perspiration; effective to avoid various sicknesses by aiding the internal organs to perform their functions; effective as a treatment, remedy, and cure for chills; effective as a stomach regulator; effective as a treatment, remedy, and cure for constipation, organic difficulties, painful urination, stoppage of perspiration, fever, rheumatism, sore throat, cough, skin eruptions, boils, toothache, earache, headache, neuralgia, swelling of the joints, indigestion and stomach disorders; and effective as a treatment for unclean internal passages.

On September 26, 1933, the defendant entered a plea of guilty to the information, and the court imposed a fine of $50.

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

**21531. Misbranding of Acme Medicated Stock Salt. U. S. v. Fifty 200-Pound Bags, et al., of Acme Medicated Stock Salt. Default decree of condemnation, forfeiture, and destruction.** (F. & D. no. 30956. I. S. no. 17579. S. no. 8386.)

This case involved a drug product labeled to convey the impression that it consisted entirely of drugs, that it was iodized and yeastolized, and that it contained, among other listed ingredients, potassium iodide and yeast. Samples, when analyzed, were found to consist principally of common salt, no yeast nor potassium iodide being found.

On August 18, 1933, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of fifty 200-pound bags, fifty 50-pound bags, fifty 25-pound bags, and fifty 15-pound bags of Acme Medicated Stock Salt at Nara Visa, N.Mex., alleging that the article had been shipped in interstate commerce, on or about November 14, 1931, by the Acme Stock Salt Co., from Tiffin, Ohio, and charging 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 (97 percent), calcium carbonate (1 percent), and small proportions of sodium bicarbonate, sulphur, copperas, and nux vomica. Potassium iodide and yeast were not present.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, (bag) "Its Iodized and Yeastolized", and (tag) "Potassium Iodide, Epsom Salts, Quassia, Nux Vomica One Half Percent, Bicarbonate of Soda, Sodium Chloride Seventy-two percent and Sulphur Two Percent, * * * Contains Drugs One Hundred Percent", were false and misleading, since the product was not iodized nor yeastolized, and did not have the composition stated on the tag.