

practically ceased; but I continued the treatment in order to secure a permanent cure, * * * I had no return of asthmatic symptoms for about a year, when I had a slight attack, which was permanently dissipated by renewing the treatment for about a fortnight."

On September 19, 1933, Foshay & Mason, Inc., Albany, Oreg., having appeared as claimant for the property and having consented to the entry of decrees, judgments of condemnation were entered, and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of bonds totaling \$1,000, conditioned that it be relabeled in a manner satisfactory to this Department.

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

21554. Misbranding of Live-On Treatment. U. S. v. 14 Small and 16 Large Bottles of Live-On Treatment. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30774. Sample no. 34310-A.)

Examination of the drug preparation, Live-On Treatment, disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On July 27, 1933, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 30 bottles of Live-On Treatment at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about December 8, 1932, by the Live-On Medicine Co., from Benton, Ill., 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 rhubarb extract, tar, vinegar, alcohol, and sirup.

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: "Liveon * * * Live-On treatment for chronic coughs and persistent colds * * *. The wonderful medicine for coughs * * * catarrhal bronchitis and bronchial asthma. A healing preparation for throat and lung troubles and pulmonary diseases due to colds. Live-on treatment for chronic coughs and persistent colds * * * Live-On * * * Live-On * * * a proven benefit in the treatment of chronic coughs, persistent colds and affections of the bronchial tubes due to colds. Live-On Medicines are as near a fountain of perpetual youth as anything discovered. * * * Live-On treatment for chronic coughs and persistent colds. * * * beneficial for the relief of chronic coughs and persistent colds. Coughs * * * Hoarseness and Sore Throat are diminished by the use of this treatment, body weight and appetite are increased in most cases and conditions are greatly improved. * * * heals the inflamed surfaces. We recommend Live-On treatment to be taken for coughs and colds, particularly those of long standing, and continue its use as long as the Cough or Cold remains. Live-On * * *."

On September 21, 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.*

21555. Misbranding of White Petrobalm and yellow petrolatum. U. S. v. 568 Jars of White Petrobalm and 81 Jars of Yellow Petrolatum. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 30826, 30827. Sample nos. 42940-A, 42941-A, 42963-A.)

Examination of the White Petrobalm and Yellow Petrolatum involved in these cases disclosed that the articles contained no ingredient capable of producing certain curative and therapeutic effects claimed in the labeling. Sample jars taken from the yellow petrolatum were found to contain less than 2 ounces, the labeled weight.

On August 4, 1933, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 568 jars of White Petrobalm and 81 jars of yellow petrolatum at Scranton, Pa., alleging that the articles had been shipped in interstate commerce on or about March 10, 1933, by the Certified Pharmacal Co., from New York, N.Y., and charging misbranding in violation of the Food and Drugs Act as amended.