

of nourishing bodies insufficiently nourished by the devitalized, denatured, and ultra-refined foods of modern life; effective as a treatment for wan, pinched faces, nervous spasms and twitchings, insufficient strength, poor teeth, malformed jaws and poor skeletal structure, weak eyes, "backward" minds; effective to restore childhood's natural birthright of buoyant health and vibrant vitality; effective as a treatment for nervous complaints; effective to restore recuperative powers after illness, to prevent the frequent susceptibility to disease and a host of other symptomatic complaints; effective as a treatment for disease and infections of a most serious sort, Bright's disease, diabetes, tuberculosis, and nutritional diseases; effective to supply the material for rich blood, sound nerves, proper functioning vital organs, and well-formed substantial skeletal structure and teeth; effective to have the property of ready assimilation by the starved tissue and impoverished blood; effective as a powerful reconstructive; effective to produce improved physical and mental vigor; effective to repair daily waste, repel disease and restore health and vitality; effective as a treatment, remedy, and cure for pernicious anaemia; effective to help fortify the body against the dangers of infectious disease, and to raise the general health and increase the natural immunity to withstand exposure to disease or other unfavorable conditions; effective to preserve the health and further the development and growth of the growing boy and girl; effective as a treatment, remedy, and cure for nervous exhaustion, from indigestion, weakened condition, complete breakdown, mental and physical; effective as a treatment, remedy, and cure for worms; effective to increase weight; effective to produce pep and enthusiasms and to reduce surplus weight; effective as a treatment, remedy, and cure for general debility, physical and nervous exhaustion, and all diseases where systemic weakness is evident; effective to aid the vital functions to gain in strength and vitality; effective as an aid to the upbuilding processes and to supply the elements needed to attain health and vigor; effective as a treatment during protracted illness, or an exceptionally virulent attack of disease; to relieve general exhaustion and to prevent a serious relapse; effective as a treatment, remedy, and cure for all chronic conditions, such as acidosis, anaemia, asthma and hay fever, bronchial affections and catarrhal conditions, neuritis and other painful or distressing symptoms of chronic conditions due to lowered vitality; effective to supply needed minerals vital to the health of expectant mothers and that of the growing foetus; effective as a treatment, remedy, and cure for nerve weakness and exhaustion, loss of pep and vitality, anaemic conditions, general weakness and similar conditions characteristic of a low state of health; effective as a remedy of amazing restorative powers; and effective as a treatment in many serious conditions to contribute immeasurably to the sense of well-being and to provide increased immunity to disease.

On February 3, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$200.

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

22185. Misbranding of Ma Burns' External Liniment. U. S. v. William B. McClellan (Ma Burns' Liniment Co.). Plea of guilty. Fine, \$4.
(F. & D. no. 30214. Sample no. 8298-A.)

Examination of a sample of Ma Burns' External Liniment showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. The article was labeled as being pharmaceutically nonpoisonous, whereas it was pharmaceutically poisonous, since it contained ammonia.

On January 20, 1934, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court an information against William B. McClellan, trading as Ma Burns' Liniment Co., Everett, Mass., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about February 5 and March 4, 1932, from the State of Massachusetts into the State of New Jersey, of a quantity of liniment which was misbranded. The article was labeled in part: (Carton) "Ma Burns' External Liniment * * * A Powerful Antiseptic Pharmaceutically Non-poisonous. * * * Ma Burns' Liniment Co. Everett, Mass."

Analysis of a sample of the article by this Department showed that it consisted of an emulsion containing uncombined ammonia (8.8 percent), turpentine oil, and water.

It was alleged in the information that the article was misbranded in that certain statements, designs, and devices regarding the curative and therapeutic

effects of the article, appearing on the bottle and carton labels and in an accompanying circular, falsely and fraudulently represented that it was effective as a relief, treatment, remedy, and cure for tuberculosis, pneumonia, laryngitis, bronchitis, pleurisy, influenza, asthma, coughs, rheumatism, lumbago, neuritis, and blood poisoning; effective to sweep out the aching root pain and to kill rheumatic aches; effective to start normal circulation coursing down to the painful area; effective as a sovereign liniment for coughs, influenza and pneumonia; effective as a great relief for tubercle lungs, glands and joints, to arrest the work of pneumonia and influenza in a few hours and to give immediate relief in rheumatic fever and to put the patient on his feet within a short time; effective to banish pain; effective as a treatment, remedy, and cure for chronic rheumatism, peritonitis, catarrh, stiff joints, throat and lung troubles, and any affliction which has become deep seated and of long standing; and effective to prolong life. Misbranding was alleged for the further reason that the statement on the carton, "Pharmaceutically Non-poisonous", was false and misleading, since the article was pharmaceutically poisonous, in that it contained ammonia.

On February 12, 1934, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$4.

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

22186. Adulteration and misbranding of sweet spirits of niter. U. S. v. Samuel Kidder & Co., Inc. Plea of nolo contendere. Fine, \$5. (F. & D. no. 30221. Sample no. 11270-A.)

This case was based on a shipment of sweet spirits of niter which contained ethyl nitrite in excess of the amount provided by the United States Pharmacopoeia, and in excess of the amount declared on the label.

On January 20, 1934, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Samuel Kidder & Co., Inc., Boston, Mass., alleging shipment by said company in violation of the Food and Drugs Act, on or about May 19, 1932, from the State of Massachusetts into the State of Connecticut, of a quantity of sweet spirits of niter which was adulterated and misbranded. The article was labeled in part: "Sweet Spirits of Nitre * * * Each fluid ounce contains 15 grains of Ethyl Nitrite * * * Samuel Kidder & Co., Inc. Boston, Mass."

It was alleged in the information that the article was adulterated in that it was sold under and by a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the test laid down in the said pharmacopoeia official at the time of investigation, since it contained not less than 5.52 percent of ethyl nitrite, whereas the pharmacopoeia provides that spirit of ethyl nitrite shall contain not more than 4.5 percent of ethyl nitrite, and the standard of strength, quality, and purity of the article was not declared on the container thereof. Adulteration was alleged for the further reason that the article fell below the professed standard and quality under which it was sold, since each fluid ounce of the article was represented to contain 15 grains of ethyl nitrite; whereas each fluid ounce contained more than 15 grains of ethyl nitrite, to wit, not less than 20.5 grains.

Misbranding was alleged for the reason that the statement, "Each fluid ounce contains 15 grains Ethyl Nitrite", borne on the bottle label, was false and misleading, since the article contained more than 15 grains of ethyl nitrite per fluid ounce.

On February 12, 1934, the defendant entered a plea of nolo contendere, and the court imposed a fine of \$5.

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

22187. Adulteration of milk of magnesia. U. S. v. Eugene J. Fishgoll (Missouri Products Co.). Plea of guilty. Fine, \$50. (F. & D. no. 30222. Sample no. 6723-A.)

This case was based on an interstate shipment of milk of magnesia which was represented to be of pharmacopoeial standard. Analysis showed that it contained but little more than one-half the amount of magnesium hydroxide required by the United States Pharmacopoeia.

On September 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 an information against Eugene J. Fishgoll, trading as the Mis-