22195. Adulteration and misbranding of Cascara Cold Breakers. U. S. v. The National Pharmacal Co. Plea of guilty. Fine, $25. (F. & D. no. 31320. Sample no. 27133–A.)

This case was based on an interstate shipment of a drug product which was found to contain less acetanilid than claimed. The labels of the article also bore unwarranted curative and therapeutic claims.

On February 10, 1934, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the National Pharmacal Co., a corporation, Detroit, Mich., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about January 17, 1933, from the State of Michigan into the State of Ohio, of a quantity of Cascara Cold Breakers which were adulterated and misbranded. The article was labeled in part: (Box) "National remedies Cascara Cold Breakers * * * National Pharmacal Company, Detroit, Michigan. Each tablet contains * * * 2 grains of Acetanilid."

Analysis of a sample of the article by this Department showed that it contained acetanilid (1.7 grains per tablet), small proportions of extracts of plant drugs including a laxative drug, ammonium chloride, camphor, capsicum, and sodium salicylate, and a trace of a drug containing a mydriatic alkaloid.

It was alleged in the information that the article was adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, in that each of the said tablets was represented to contain 2 grains of acetanilid, whereas each of the said tablets contained not more than 1.7 grains of acetanilid.

Misbranding was alleged for the reason that the statement "Each tablet contains * * * 2 grains of acetanilide", borne on the box, was false and misleading. Misbranding was alleged for the further reason that the article contained acetanilid, and the label on the package failed to bear a statement of the quantity and proportion of acetanilid contained in it. Misbranding was alleged for the further reason that certain statements appearing on the box label, regarding the curative and therapeutic effects of the article falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for grippe.

On February 24, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of $25.

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

22196. Misbranding of Ensign Remedies. U. S. v. Thomas D. Ensign and Beatrice Ensign (The Ensign Co.). Pleas of guilty. Fines, $200. (F. & D. no. 31330. Sample nos. 7859–A, 7860–A.)

This case was based on shipments of Ensign Remedies. Examination showed that the articles contained no ingredients capable of producing certain curative and therapeutic effects claimed in the labels.

On January 10, 1934, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Thomas D. Ensign and Beatrice Ensign, copartners, trading as the Ensign Co., Battle Creek, Mich., alleging shipments by said defendants in violation of the Food and Drugs Act as amended, on or about January 10, 1933, from Battle Creek, Mich., to Santurce, P.R., of quantities of Ensign Remedies which were misbranded. The articles were labeled in part, respectively: "Ensign Remedies Remedy No. 42"; "The Ensign Remedies Remedy No. 7."

Analyses of samples of the articles by this Department showed that Remedy No. 42 contained 99.6 percent of sugar and that Remedy No. 7 contained 99.2 percent of sugar. No therapeutic agents were detected in either sample.

It was alleged in the information that the articles were misbranded in that certain statements, designs, and devices regarding their curative and therapeutic effects, appearing on the carton and bottle labels and in circulars shipped with the articles, falsely and fraudulently represented that Remedy No. 42 was effective as a treatment, remedy, and cure for primary syphilis, chancre, buboes and affections due to having suppressed it during its first period; effective as a remedy and treatment for diseases no matter how serious; effective to insure long life and immunity against pains and afflictions; effective as a rapid and steady remedy in acute cases, and as a cure in chronic diseases; effective as a tissue builder, and that Remedy No. 7 was effective as a treatment, remedy, and cure for grippe, endemic influenza and malignant affections of the throat; effective as a treatment for acute la grippe or for the chronic after-effects;

effective as a preventive in epidemics; effective as a remedy and treatment for diseases no matter how serious; effective to insure long life and immunity against pains and afflictions; effective as a rapid and steady remedy in acute cases and as a cure in chronic diseases; and effective as a tissue builder.

On February 3, 1934, pleas of guilty were entered and the court imposed a fine of $100 against each defendant.

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

22197. Adulteration and misbranding of drug tablets. U. S. v. 15,800 Cold Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31537. Sample no. 42736–A.)

These tablets were shipped in response to an order for tablets containing, among other ingredients, 1 grain of acetanilid and 0.625 grain of quinine sulphate. Analysis showed that the tablets contained less acetanilid and quinine sulphate than ordered. The container failed to bear a declaration of the acetanilid.

On November 2, 1933, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 15,800 drug tablets at Oklahoma City, Okla., alleging that the article had been shipped in interstate commerce, on or about January 20, 1933, by Strong, Cobb & Co., Inc., from Cleveland, Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by this Department showed that the tablets contained not more than 0.83 grain of acetanilid and not more than 0.56 grain of quinine sulphate each.

It was alleged in the libel that the tablets were adulterated in that their strength fell below the professed standard under which they were sold, namely, acetanilid 1 grain, quinine sulphate 0.625 grain.

Misbranding was alleged for the reason that the containers failed to bear a statement on the label of the quantity or proportion of acetanilid contained in each tablet.

On February 2, 1934, 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.*

22198. Adulteration and misbranding of Petro-Ido. U. S. v. 14 Bottles of Petro-Ido. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31759. Sample no. 46447–A.)

Examination of a sample of Pedro-Ido showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. Tests of the article showed that it would not act as an antiseptic when used as directed.

On December 21, 1933, the United States attorney for the Middle District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 14 bottles of Petro-Ido at Montgomery, Ala., alleging that the article had been shipped in interstate commerce on or about August 30, 1933, by the White Specific Toilet Co., from Nashville, Tenn., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "White's Specific Laboratories."

Analysis of a sample of the article by this Department showed that it consisted essentially of 0.05 percent of iodine dissolved in mineral oil. Bacteriological examination showed that the article would not be an antiseptic for internal use.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard or quality under which it was sold, viz, "internal antiseptic."

Misbranding was alleged for the reason that the statements on the carton and wrapper, "Internal Antiseptic Oil, * * * clears the intestinal canal of many of the dangerous germs of colds, colitis, appendicitis and typhoid", were false and misleading. The libel further alleged that the article was falsely and fraudulently labeled with respect to its effects in the treatment and prevention of various disease conditions, including ulcerations of the stomach and intestines, colitis, appendicitis, typhoid, cancer of the stomach, constipation, autointoxication, soreness of the bowels, high blood pressure, low blood pressure, enlarged liver, epilepsy, heart trouble, and sore mouth.