

a material proportion of magnesium sulfate. It was alleged to be misbranded further in that its container was so made, formed, or filled as to be misleading.

On December 22, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**94. Adulteration and misbranding of quinine sulfate. U. S. v. 324 Bottles of Quinine Sulfate. Default decree of condemnation and destruction. (F. D. C. No. 545. Sample No. 65806-D.)**

The strength, quality, and purity of this product differed from that which it purported to possess. Furthermore, its containers were deceptive, since their contents occupied less than one-half the capacity of the bottle.

On September 6, 1939, the United States attorney for the Southern District of Georgia filed a libel against 324 bottles of quinine sulfate at Waycross, Ga., alleging that the article had been shipped in interstate commerce on or about July 13, 1939, by Davis Manufacturing Co., Inc., from Knoxville, Tenn.; and charging that it was adulterated and misbranded.

Adulteration was alleged in that the article purported to be and was represented as a drug, the name of which is recognized in the official United States Pharmacopoeia, namely, quinine sulfate, with 10 percent more water than that set forth in the standard for said drug, and in that its strength differed from and its quality and purity fell below that which it purported or was represented to possess.

Misbranding was alleged in that the statement on the label, "Quinine Sulfate U. S. P. X Contains 10% more water than U. S. P. XI," was false and misleading, since the article did not conform to the U. S. P. X requirement for quinine sulfate, and did not contain 10 percent more water than the U. S. P. XI quinine sulfate. It was alleged to be misbranded further in that its containers were so made, formed, or filled as to be misleading.

On October 18, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**DRUG SEIZED BECAUSE OF CONTAMINATION WITH FILTH**

**95. Adulteration and misbranding of Cotec. U. S. v. 9 Packages of Cotec. Default decree of condemnation and destruction. (F. D. C. No. 1211. Sample No. 73892-D.)**

This product was adulterated because it consisted in part of filth, and was misbranded because of false and misleading representations regarding its efficacy in the conditions mentioned hereinafter.

On December 21, 1939, the United States attorney for the District of New Hampshire filed a libel against nine packages of Cotec at Concord, N. H., alleging that the article had been shipped in interstate commerce on or about November 22, 1939, by the Cotec Co. from Lynn, Mass.; and charging that it was adulterated and misbranded.

Analysis showed that the article consisted essentially of fat and excrement.

Adulteration was alleged in that the article consisted in part of a filthy substance.

It was alleged to be misbranded in that its labeling bore representations that it was an efficacious preparation for all kinds of piles including blind, bleeding, itching, internal, and external piles; that it was a treatment that relieved by absorption all inflammation of the lower bowel; that it would relieve such condition without an operation or detention from business; that it was one of the most popular and valuable of all pile treatments; that it would reduce all congestion and swelling, and heal all sores, ulcers, and irritated parts immediately; that it would heal while one slept; that it was an efficacious preparation for pile tumors; that it would be an efficacious preparation for the symptoms of the disease (piles) among which are a kind of tenesmus, a bearing-down sensation, heat, tension, and throbbing of the part varying from a moderate degree of the sensations to the most excruciating suffering; that it would be an efficacious preparation for prolapsus or falling of the bowels and for various attendant symptoms of piles such as nervous pains, pain and weakness in the back, irritation of the kidneys and bladder, and other organs of the vicinity, pain and numbness in the legs and feet, a sense of straitness about the chest, unnatural fullness of the abdominal viscera, accompanied by palpitation and oppression of the heart, great derangement of the circulation, sense of weight and pressure in the abdomen with peculiar feeling of uneasiness in the bowels, sensation of bearing down in the rectum and perineum, pain in the back and loins, nausea, slight pain in the stomach, scanty and high-

colored urine, pale countenance, confused sensation in the head, weariness and irritable and discontented state of mind, sense of fullness and oppression in the region of the stomach, feeble circulation on the surface; that it was efficacious from the simplest first symptoms to the most aggravated type of the disease; that it should be used in conjunction with Cotec Laxative Pills to prevent a return of piles; that if used regularly it would effect a cure; that it would cure quickly and permanently; that it was the best pile remedy, which representations were false and misleading since the article was not an adequate treatment for the conditions mentioned in the labeling but was a filthy mixture unfit for medicinal use.

On January 24, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

### DRUGS LABELED WITH FALSE AND MISLEADING THERAPEUTIC CLAIMS<sup>1</sup>

**96. Misbranding of Booth's Mentholated Cough Drops, Cough and Cold Remedy, La Grippe & Cold Tablets, Liniment, and Liver Pills; and adulteration and misbranding of Booth's Camphorated Oil and Carbollic Salve. U. S. v. 1,128 Boxes of Mentholated Cough Drops, et al. Default decree of condemnation and destruction. (F. D. C. Nos. 466 to 473, incl. Sample Nos. 53819-D to 53826-D, incl.)**

The labeling of these products bore false and misleading representations regarding their medicinal properties as shown hereinafter. The Camphorated Oil did not conform to the standard prescribed for such product in the United States Pharmacopoeia, and the carbollic salve contained a smaller proportion of carbollic acid than that declared on the label. The liniment contained alcohol, which was not declared on the label.

On August 23, 1939, the United States attorney for the Western District of Michigan filed a libel against 1,128 boxes of mentholated cough drops, 168 bottles of camphorated oil, 114 bottles of cough and cold remedy, 264 boxes of la grippe and cold tablets, 426 tins of carbollic salve, 80 bottles of liniment, and 108 packages of liver pills at Harbor Springs, Mich., consigned by J. F. Booth, alleging that the articles had been shipped in interstate commerce on or about March 13 and June 21, 1939, from Springfield, Ill.; and charging that they were misbranded and that the camphorated oil and carbollic salve were also adulterated.

Analyses showed that the Mentholated Cough Drops were sugar lozenges flavored with menthol. The article was alleged to be misbranded in that statements in the labeling representing that one of the drops put into the mouth before going to bed would cause the patient to enjoy a comfortable night's sleep; that it was excellent for coughs, colds, hoarseness, etc.; that persons troubled with coughs, hoarseness, sore throat, etc., would find immediate relief by using the product, were false and misleading as applied to sugar lozenges flavored with menthol.

Analyses showed that one shipment of the Camphorated Oil contained not more than 12.6 percent of camphor and that the other shipment contained not more than 9.8 percent of camphor. It was alleged to be adulterated in that it was represented as a drug, the name of which is recognized in the United States Pharmacopoeia but its strength differed from the standard set forth in that compendium since the pharmacopoeia provides that camphorated oil shall contain not less than 19 percent of camphor. It was alleged to be misbranded in that the representations in the labeling of one lot that it was efficacious as an anodyne embrocation in rheumatic affection of the joints, and in the labeling of the second lot that it was useful in rheumatism, pains, and swellings of the breasts or joints and in colds on the chest, were false and misleading in that the article was not efficacious for the purposes recommended.

Analyses of the Cough and Cold Remedy showed that it consisted essentially of small proportions of extracts of plant material, ammonium chloride, and menthol, and sugar, alcohol and water. It was alleged to be misbranded in that statements in the labeling representing that it was a cough and cold remedy and was efficacious for recent chronic coughs, consumption, hoarseness, bronchitis, loss of voice and all inflamed conditions of the lungs and bronchial tubes, were false and misleading, since the article was not efficacious for the purposes recommended.

Analyses showed that the La Grippe & Cold Tablets contained acetanilid (1 grain per tablet), a small proportion of salol, a quinone compound, a bromide,

<sup>1</sup> See also N. J. Nos. 80, 85, 90, and 95.