

District Court of the United States for said district libels for the seizure and condemnation of 11½ dozen bottles of Big G and 7 dozen bottles of Big G, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that said article had been shipped on or about March 21, 1919, and December 18, 1918, by the Evans Chemical Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of Pennsylvania, in violation of the Food and Drugs Act, as amended. Said article was labeled in part, "Big G, A Compound of Borated Goldenseal" and "Big G; A non-poisonous tonic."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of a dilute aqueous solution of borax and berberine. Hydrastine was absent.

Adulteration of the article was alleged in both the libels for the reason that it was labeled on the cartons "A Compound of Borated Goldenseal," whereas it contained no borated goldenseal, and its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged in substance in both the libels for the reason that certain statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circular accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for unnatural discharges of the urinary organs, catarrh, hay fever, and inflamed, ulcerated itching conditions of the skin, and mucous membranes or linings of the mouth, nose, throat, eye, and ear, catarrh, hay fever, and inflammations, irritations, or ulcerations of mucous membranes or linings of the nose, throat, stomach, and urinary organs, catarrh chronic of the head, hay fever, inflammation of the eye, cystitis, gastritis, catarrh of the stomach, hemorrhoids, piles, throat troubles, gonorrhœa, gleet, leucorrhœa, and certain other diseases, whereas, in truth and in fact, it was not.

On December 15, 1919, the Evans Chemical Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500 in each of the seizures, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7784. Misbranding of Novita Remedies. U. S. * * * v. 200 Retail Cartons of Novita Globules, 173 Small and 142 Large Cartons of Novita Capsules, 213 Small and 73 Large Cartons of Novita Salve Stainless, 286 Large and 114 Small Cartons of Novita Salve Brown. Consent decree of condemnation and forfeiture. Goods released under bond. (F. & D. Nos. 10214, 10215, 10216. I. S. Nos. 2683-r, 2684-r, 2685-r, 2679-r. S. Nos. W-322, W-323, W-334.)

On or about May 13 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain packages of Novita Globules, Novita Capsules, Novita Salve Stainless, and Novita Salve Brown, consigned by the Novita Co., Chicago, Ill., and remaining unsold in the original unbroken packages at Denver, Colo., alleging that the articles had been shipped during the months of February, April, June, July, and November, 1918, and February 26, 1919, via the Chicago, Burlington and Quincy Railroad Co., Chicago, Ill., and transported from the State of Illinois into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part: "Novita Globules For Kidney and Bladder Troubles. * * * Specific for Kidney and Bladder Troubles. It acts * * * primarily by stimulating the flow of blood in the region of the Kidneys, thereby assisting these organs in their func-

tions of elaborating healthy urine and of purging themselves of all waste and poisonous matter. * * * No remedy has so many marvelous cures to its credit as Novita and none can successfully take its place;" (circular) "Among the beneficial effects of Novita Globules is the revival of activity on the part of the kidneys and bladder when those organs become torpid. The salutary impetus which this promoter of vital energy communicates overcomes their inaction and averts diseases of which that inaction is premonitory. It also frees the system of impurities fatal to health along with that portion of the waste matter or debris thrown off by the blood through the kidneys and bladder. The aggravated forms of kidney disease have a decided tendency to terminate fatally. Among them are Bright's Disease and Diabetes—diseases which contribute largely to the bills of mortality. Their prime cause is the want of healthful vigor and regularity in the organs affected. The weak and ineffectual performance of their functions also causes suppression and retention of the urine and dropsy; all of which tend to wreck the constitution beyond the hope of repair. Therefore, it is manifestly desirable to check their progress at the outset, by toning and regulating the organs to which they work such irreparable mischief if their early symptoms are unheeded. The Novita Globule is admirably calculated to effect this, since the stimulus which it gives to urination is attended with no exciting or inflammatory influences upon the kidneys and bladder, and its invigorating and regulating influence is exerted upon them in common with the stomach, liver and bowels, and is speedily made apparent by a very appreciable improvement in the manner of performing the secretive and evacuation duties imposed upon them by nature. * * * *;" "Novita Capsules For diseases of the uterine organs. * * * No remedy has so many marvelous cures to its credit as Novita and none can successfully take its place. * * * A three months' course often effects a cure, but in very stubborn cases, where there are other complications, a longer treatment is required. This box contains enough for three months. A three months' treatment will often cure the most chronic case, but in very stubborn cases, where there are other complications, a long treatment may be required;" (booklet, page 9) "Menstrual derangements Suppressed or irregular menstruation, displacements," (page 10) "Leucorrhœa or 'Whites,' anteversion," (page 13) "All tumors or cancerous formations;" "Novita Salve A nerve and tissue remedy for external use. Stainless. * * *. Use freely wherever there is pain, diseased tissue, and particularly in ovarian tumor and cancerous affections. * * * for eczema, scrofula, and facial eruptions. It is especially valuable in nerve trouble. * * *. A three months' treatment often effects a cure, but in very stubborn cases where there are other complications, a longer treatment is required;" "Novita Salve Stainless Novita Salve A Nerve and Tissue Remedy for external use. No remedy has so many marvelous cures to its credit as Novita, and none can successfully take its place. * * * Use freely wherever there is pain. It is beneficial wherever there is inflammation, congestion, diseased tissue and particularly in ovarian tumor and cancerous affections. It is also recommended for eczema, scrofula and facial eruptions. In cases of rheumatism, stiffened joints or limbs * * * will * * * bring back vitality and strength to the parts. This salve furnishes nutriment to the body through the medium of the skin; (on the cartons containing Novita Salve Brown are printed the same statements as above set forth; that is to say, the large cartons of the Novita Salve Brown bear the same statements as the large cartons of the Novita Salve Stainless, and the small cartons of the Novita Salve Brown bear the same statements as the small cartons of Novita Salve Stainless except that on both sizes of cartons wherever the word "Stain-

less" appears in the above alleged statements the word "Brown" appears in the statements on the cartons of Novita Salve Brown); (carton, large and small, both kinds of salve) "All cases of inflammation, congestion, ulceration of the skin, as in salt rheum, eczema, and inflammation of the lungs, as in croup, bronchitis, pneumonia, pleurisy, inflammation of the stomach, liver, kidneys, bladder, bowels and uterine organs. It is especially helpful in cases where the ovaries are diseased, and where the spine or limbs are affected, and whenever there are diseased tissues, foreign matter, stiffening of joints or limbs, and particularly in ovarian tumor, or cancerous affections, or where menstruation is painful. In cases of weakness of the back, or where there is headache or pain, the salve rubbed along the spinal column and at the base of the brain, will bring relief and strength. In every case of ovarian trouble, prolapsus, derangement of menstruation, or whenever the spine is affected, the salve and capsules should both be used. It will also produce a growth of adipose tissue or fat just beneath the skin, making the form plump and round. For rheumatism."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Novita Globules consisted of sugar-coated pills containing essentially potassium nitrate, podophyllin, oil of juniper, uva ursi, starch, and a plant drug, probably digitalis. The Novita Capsules consisted essentially of a saponifiable base, containing hydrastis and a small amount of tannin. The Novita Salve Stainless consisted essentially of a saponifiable base containing salts of lead and mercury, apparently ammoniated mercury and lead acetate, with a small amount of acetanilid. The Novita Salve Brown consisted of a saponifiable base containing hydrastis and a tannin-bearing drug.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements, regarding the curative and therapeutic effects of the article, were false and fraudulent and misleading in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in said statements.

On April 20, 1920, John B. Danis, and his assignee, Herbert H. Gray, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimants upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7785. Misbranding of Injection Malydor. U. S. * * * v. 9 Bottles of Injection Malydor. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11195. I. S. No. 9419-r. S. No. C-1458.)

On September 16, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the condemnation and forfeiture of 9 bottles of Injection Malydor, remaining unsold in the original unbroken packages at Cairo, Ill., alleging that the article had been shipped on or about May 28, 1919, by J. S. Merrill Drug Co., St. Louis, Mo., and transported from the State of Missouri into the State of Illinois, and charging misbranding under the Food and Drugs Act, as amended.

Analysis of a sample of the product made by the Bureau of Chemistry of this department showed that it consisted essentially of a dilute aqueous solution of boric acid, phenol, a zinc salt, acetanilid, and glycerin, with a trace of unidentified alkaloid.

Misbranding of the article was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circular accompanying the article, falsely