

10570. Misbranding of Anti-Pneumonia. U. S. * * * v. 5 Packages, et al, of * * * Anti-Pneumonia. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13787. I. S. No. 3907-t. S. No. C-2556.)

On October 15, 1920, the United States attorney for the Southern District of Iowa, 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 seizure and condemnation of 5 packages, No. 2, 5 packages, No. 3, and 2 packages, No. 4, of Anti-Pneumonia, at Ottumwa, Iowa, alleging that the article had been shipped by John B. Cox, Maryville, Mo., on or about February 19, 1920, and transported from the State of Missouri into the State of Iowa, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained tar, clay, and boric acid.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent, since it did not contain any ingredient or combination of ingredients capable of producing the effects claimed: (Can label) "Anti-Pneumonia An External Remedy for Pneumonia, Bronchitis, Congestion of the Lungs, Typhoid Fever, Tonsillitis, Diphtheria, Acute Inflammatory, Articular Rheumatism * * *"; (carton) "Anti-Pneumonia An External Remedy for Pneumonia, Bronchitis, Congestion of the Lungs, Typhoid Fever, Tonsillitis, Diphtheria, Acute Inflammatory, Articular Rheumatism, La-Grippe, Croup, suppressed menstruation, and all inflammatory conditions. * * * The best remedy ever discovered for tuberculosis, if taken in time and enough applications used. * * * the most efficacious antagonist of pneumonia fever. All forms of tuberculosis can be greatly helped by Anti-Pneumonia. Anti-Pneumonia has been known to bring relief to patients, suffering from pneumonia fever, in fifteen minutes, and has always brought relief in less than an hour and a half. It reduces the temperature quickly, and usually drives out the fever entirely in less than six hours, thus making possible a speedy and sure recovery. * * * no uneasiness need be entertained as to the result * * *"; (small circular) "Anti-Pneumonia Directions for Pneumonia. In Pneumonia * * * bronchitis, congestion of the lungs, croup, diphtheria, la grippe, lumbago, carbuncle, pleurisy, and headlitis, * * * for all lung cases * * * in Pneumonia; at least two applications should be used, after fever is broken, to remove all inflammation and heal the bronchials and lungs. To prevent patient from going into tuberculosis, * * * tonsillitis, * * * For all other diseases use as for pneumonia. * * *"; (large circular) "Anti-Pneumonia An External Remedy for Pneumonia, Bronchitis, Congestion of the Lungs, Typhoid Fever, Tonsillitis, Diphtheria, Whooping Cough, Acute Inflammatory Articular Rheumatism. * * * one of the world's greatest discoveries * * * The Name, 'Anti-Pneumonia,' means all that it implies. The ingredients of this external remedy are directly opposed to inflammatory conditions, and especially Pneumonia Fever. * * * It was never offered to the public until it had reached the height of perfection, and a great number of test cases were absolutely cured. The remedy has been on the market for more than six years. During this time, each and every patient known to me, recovered completely and rapidly, * * * measles * * * the remedy for all lung troubles and inflammation. * * * lameness and pleurisy * * * La Grippe * * * no uneasiness need be entertained as to the result. * * * The amount necessary to break Pneumonia Fever is determined by the size of the patient. * * * The successful use of Anti-Pneumonia in Pneumonia Fever cases. * * * pneumonia * * * it does all that is claimed for it * * * I had a very bad attack of lung trouble and the Doctor said I was taking tuberculosis and advised me to go West. I came to Maryville and got one large size can of your preparation and can gladly say I have no more sore lungs. It has been now two years and I am on the road every day, good or bad weather. I wish everyone with lung trouble would try it as I know it would cure anything that is curable. * * * Keep it in the house ready to use and * * * save a life. * * * Use Anti-Pneumonia for Tuberculosis and all Lung Troubles, and all Inflammations. * * * I am writing for more of your great Anti-Pneumonia cure as we have had several very bad cases of Pneumonia and it hasn't failed. * * * Spanish Influenza. * * * My girl eleven years old had the measles last spring and took pneumonia with it, and her lungs were filling up fast. * * *

it broke it up in 25 minutes. * * * It is good for inflammation of the bowels. * * * Pneumonia cure. * * * Pneumonia Fever * * * has never failed in a single instance. For Pneumonia and kindred ailments it has proven to be a sovereign remedy. * * * an absolute specific for Pneumonia and kindred troubles * * * Pneumonia cure. * * * it has saved lots of cases * * *"

On October 21, 1921, 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.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10571. Misbranding of Euca-Mul. U. S. * * * v. 287 Bottles * * * et al, of Euca-Mul * * *. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14257, 14258, 14259. Inv. Nos. 30451, 30452, 30453, 30454, 30455, 30456, 30457. S. Nos. C-2745, C-2746, C-2747.)

On January 31, 1921, the United States attorney for the Eastern District of Wisconsin, 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 1,504 bottles, 2½-ounce size, and 68 bottles, 16-ounce size, of Euca-Mul, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by the E. G. Binz Co., Los Angeles, Calif., between the dates February 3 and November 3, 1920, and transported from the State of California into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (2½-ounce bottles) " * * * Immediate Relief in * * * Asthma, Croup, Pneumonia, Whooping Cough, Consumption and any Lung or Throat Trouble * * * excellent for all Chronic Throat and Lung troubles. It builds up resisting power in patient, controls the cough * * *"; (16-ounce bottles) " * * * In Croup * * * Bronchial Asthma, Tuberculosis, Whooping Cough And Other Throat And Lung Affections * * * relieves * * * bronchial asthma. Especially effective in cough of phthisis and Whooping Cough * * *"; (circular accompanying both sized bottles) "Will * * * relieve any kind of cough; will relieve all chronic coughs, and will arrest paroxysms in whooping cough; * * * For Whooping Cough * * * Use * * * and * * * you will control the whooping cough in a short time. Consumption. In this trouble, use Euca-Mul * * * for the effect in the disease, regardless of the cough, * * * Asthma. This disease should be treated with Euca-Mul * * * Croup * * * Euca-Mul will be appreciated in this disease. * * * The persistent use of Euca-Mul brings the best result. * * *"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an emulsion of eucalyptus oil, reducing sugar, glycerin, gum, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements appearing on the labels of the bottles containing the said articles and in the accompanying circulars were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On July 27, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10572. Adulteration of shell eggs. U. S. * * * v. Charles B. Ater. Plea of guilty. Fine, \$25. (F. & D. No. 14554. I. S. No. 10227-t.)

On May 12, 1921, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles B. Ater, Shaffer, Kans., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 12, 1920, from the State of Kansas into the State of Colorado, of a quantity of shell eggs which were adulterated. The article was labeled in part, " * * * From Chas. B. Ater, General Merchandise, Shaffer, Kansas * * *"

Examination, by the Bureau of Chemistry of this department, of 720 eggs from the consignment showed the presence of 65, or 9.02 per cent, inedible eggs, consisting of black rots, mixed or white rots, moldy eggs, and spot rots.