

consigned by Nash Bros. Drug Co., Jonesboro, Ark., alleging that the article had been shipped from Jonesboro, Ark., on or about February 28, 1922, and transported from the State of Arkansas into the State of Ohio, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of petrolatum, containing small amounts of menthol, camphor, sassafras oil, and pine or turpentine oil.

The article was labeled in part: (Jars) "Croup, Pneumonia Salve * * * Coughs, Sore Throat, Etc. * * *. Directions: Croup. Apply up the nose and with the hand rub the Salve over the chest and throat allowing the child to inhale the vapors freely till the difficult breathing is relieved, then cover the chest with warm flannel. Pneumonia. Apply hot towels for five minutes to chest, throat and back, then apply salve thickly to parts affected and cover with warm white flannel cloths. Apply every hour till fever cools * * *. Sore Throat, Tonsillitis, and Coughs. Apply as for croup but swallow a small amount of the salve the size of a pea. In severe cases use hot flannels. Catarrh, Cold in Head, and Whooping Coughs, melt in spoon and inhale the vapors. Apply up the nose. For piles * * * apply to affected parts;" (carton) "Croup & Pneumonia Salve Applied externally, acts both externally and internally, as it is absorbed and inhaled. * * * causing the loosening of Spasmodic Croup, Coughs * * *. Used as an aid in Treating Congestion and Inflammation such as Croup (Spasmodic) * * * Coughs, Catarrh, Sore Throat, Asthma, Bronchitis * * * Hay Fever * * * Piles, Boils, Tonsillitis, Pneumonia;" (circular) "Croup and pneumonia Salve. * * * External—This preparation will be found useful in treating all inflammations externally, also very valuable in * * * headache, pains in joints, stiffness, neuralgia, colic, and similar diseases * * *. Croup * * * Rub Nash's Salve freely over chest and throat, then apply flannel covered with Salve. In extreme cases, give internally a small piece about the size of a pea. Arrange bed-clothing so the child will inhale the vapors during the night. Symptoms—Pneumonia and Influenza—Keep the bowels open with Nash's Live Pills and use the salve in abundance on hot cloths (flannel) covering both the back and chest, after rubbing in well with the hand. To get the best result, you should first open the pores of the skin with hot towels applied to the back and chest. Repeat the treatment every two or three hours until the fever is reduced. Catarrh * * * Hay Fever—First melt a small quantity of Nash's salve in a spoon and inhale the vapors—then apply well up each nostril three or four times a day and upon retiring. Asthma—We do not claim Nash's as a cure for Asthma, but many users claim they are relieved by rubbing the spinal column from hips to the neck with the salve, then applying to chest and throat and up the nostrils. Coughs—Whooping Cough—Sore Throat—Apply to chest and throat and take internally one-fourth teaspoonful of melted salve and swallow slowly. Rheumatic Pains—Stiff Neck—Headaches—Swollen Joints etc. Apply Nash's Salve vigorously for several minutes, then apply hot towels and repeat until relieved * * *. Piles * * *. Distemper in Horses or Dogs—Rub on throat and between jawbones and apply freely up the nostrils also melt and have animals inhale vapors."

It was alleged in the libel that the article was misbranded in that it contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the above-quoted statements were applied to the said article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchaser and create in the minds of purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named.

On March 26, 1929, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16272. Misbranding of Dr. M. Hermance's asthma and hay fever medicine U. S. v. 2 3/4 Dozen, et al., Bottles of Dr. M. Hermance's Asthma and Hay Fever Medicine. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 23361. I. S. No. 05779. S. No. 1512.)

On February 6, 1929, the United States attorney for the District of New Hampshire, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2 3/4 dozen \$1.00 size bottles and 1/2 dozen \$5.00 size bottles

of Dr. M. Hermance's asthma and hay fever medicine, remaining in the original unbroken packages at Concord, N. H., alleging that the article had been shipped by C. A. Bell, from Lowell, Mass., on or about January 5, 1929, and transported from the State of Massachusetts into the State of New Hampshire, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of potassium iodide, extracts of plant material, including licorice, alkaloids of lobelia, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the statement on the label, "This medicine contains nothing injurious to the most delicate constitution," regarding the said article was false and misleading. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, (label) "Dr. M. Hermance's Asthma and Hay Fever Medicine * * *. These distressing ailments have in this prescription a prompt and effective remedy for relief. (Design of bell) Dr. M. Hermance's Asthma Medicine. Directions * * *. For asthma, first two days, one-half teaspoonful four times a day after meals and on retiring, then increase * * *. If you have a bad attack, take the medicine every twenty minutes, increasing each dose until relieved * * *. Hay fever * * *. You should start the treatment six weeks before period * * *. For Bronchial Troubles * * *. For All Catarrhal Troubles * * *. For Coughs * * *. Influenza. Special Directions. This medicine * * * should be taken in doses sufficiently large to arrest the paroxysm and enable the person to breathe perfectly free. When the dose prescribed on the label fails to produce entire relief, repeat the dose every fifteen or twenty minutes, increasing the quantity each time until full relief is secured * * *. Use Hermance's Asthma and Hay Fever Medicine as directed, otherwise the good effects of a good medicine may be lost," (strip label on neck of bottle) "To break an attack of Asthma take every 15 or 20 minutes, increasing each dose until relieved," (carton) "Dr. M. Hermance's Asthma and Hay Fever Medicine * * *. These distressing ailments have in this prescription a prompt and effective remedy for relief * * *. Brings quick relief to sufferers from asthma and hay fever * * *. This Medicine is a Body Builder, also used for Catarrhal, Bronchial, and Heart Trouble with Best of Results. Good for the Whole Family for Coughs * * *. Flu, and All Bronchial Troubles," (circular enclosed in display carton) "That Terrible Disease Asthma, so long considered incurable, is invariably relieved by the use of Dr. M. Hermance's Asthma and Hay Fever Medicine. A medical compound, which, when properly and perseveringly used, seldom fails to give relief. It is (Emphatically) the Medicine that should be in the possession of every person afflicted with that Disease; as it relieves at once the difficulty of breathing and sense of suffocation that constitute the characteristic symptoms of that disease. And by continuing its use daily between the paroxysms it removes, by its alterative influence, that morbid condition upon which the disease depends. Many persons make a great mistake in taking this Remedy for the Asthma. 'Acting upon the belief that it cannot be cured,' they leave off taking the medicine as soon as relieved and resort to it again only as an attack of the suffering returns; thus getting only relief, when by continuing the Medicine as directed, they could not only lengthen the period between the attacks, but break them up altogether. The Effects of Dr. M. Hermance's Asthma and Hay Fever Medicine are very different from the many so-called cures for these diseases, which are merely anti-spasmodics, sedatives, etc., and at best give but temporary relief. Hermance's Asthma and Hay Fever Medicine, by acting through the Blood, builds up the Constitution and restores the Nervous System to a normal condition, thus effecting a recovery. In some cases, when the disease is of long standing or complicated with other maladies, a longer time than usual is required in which to overcome the severity and stubbornness of the disease. Of course, in performing this work a little time and perseverance is required to bring the system fully under the effects of the Remedy, but once this is accomplished the improvement is rapid and certain. Hundreds can testify to the curative powers of this Medicine over Asthma. If suffering from the disease, procure a bottle and test it for yourself. This medicine tends to improve the Blood and build up the body, and is good for Catarrhal troubles * * *. Directions. * * * for Asthma first two days, one-half teaspoonful four times a day after meals and on retiring, then increase the dose * * *. If you have a bad attack take the medicine every twenty minutes, increasing each dose till relieved.

Dose for Child.—You should take this medicine four times a day, whether your asthma is troubling you or not, till you are sure that you are free from the attacks of asthma. Bad cases of long standing should take this medicine * * *. Hay Fever * * *. You should start treatment six weeks before period. For Coughs * * *. Influenza * * *. For Bronchial Troubles * * *. For all Catarrhal Troubles * * * use Hermance's Asthma and Hay Fever Medicine as directed, otherwise the good effects of a good medicine may be lost. (On the design of a bell) Dr. M. Hermance's Asthma Medicine," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and that the same were applied to the articles knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof and create in the minds of purchasers thereof the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On March 27, 1929, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16273. Misbranding of Blood-Tonik. U. S. v. 70 Pounds, et al., of Blood-Tonik. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 23265, 23266. I. S. Nos. 05321, 05322. S. Nos. 1355, 1356.)

On December 26, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 168 pounds of Blood-Tonik at Chicago, Ill., alleging that the article had been shipped by the Dr. David Roberts Veterinary Co., from Waukesha, Wis., in part October 20, 1928, and in part November 22, 1928, and transported from the State of Wisconsin into the State of Illinois, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of sodium chloride (14.5 per cent), magnesium sulphate (9.56 per cent), calcium carbonate (14.7 per cent), phosphates, borax, phenols, sulphur, anise and other plant material, bran, and starch.

It was alleged in substance in the libels that the article was misbranded in that the following statements regarding its curative or therapeutic effects, borne on the package and label, "How to know Blood Diseases in Your Herd. It is perfectly natural for every healthy cow or heifer to conceive when bred. If she fails after breeding once, twice, or three times you will know that she is not in a healthy condition. It is also natural for every healthy cow or heifer to carry her calf full time and expel the afterbirth within a few hours after freshening. A cow may carry her calf full time. The calf may be alive and appear to be healthy, but if the glands of the throat are enlarged or swollen, you will know that the calf is afflicted with goiter. An abnormal looseness of the bowels in calves, commonly known as scours or diarrhea, is usually due to indigestion. Without any apparent cause there may be a falling off of the milk production even though the usual care and feed are given a herd. This shortage of milk is one of the usual results of the presence of low vitality of the herd. It is at this time that nature requires assistance. Blood-Tonik is prepared for this purpose. If your herd is afflicted with any of the above ailments or diseases they are not doing their best * * *. Blood-Tonik * * * Dr. David Roberts Blood-Tonik contains drugs known to be useful in treating the blood and ailments of the genital organs and is especially recommended for cows, but can be fed to mares in same size dose, and to ewes and sows in one-half size dose," were false and fraudulent in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective as a remedy for the diseases, ailments, and afflictions mentioned therein.

On March 13, 1929, the two cases having been consolidated into one cause of action and 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*