

a statement on the label of the quantity or proportion of acetanilide contained therein, since the declaration was incorrect. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent: (Carton container) "LaGrippe * * * take one tablet each hour until 3 have been taken, then from 3 to 6 hours apart as needed;" (display carton) "For LaGrippe;" (circular) "For coughs satisfactory results should be obtained. Adults take one tablet each hour until 3 are taken, then from 3 to 6 hours apart as needed for Malaria."

On May 9, 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.*

16381. Misbranding of Knoxa cold tablets. U. S. v. 10 Gross Packages of Knoxa Cold Tablets. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23474. I. S. No. 07782. S. No. 1689.)

On or about February 26, 1929, the United States attorney for the Western District of Washington, 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 10 gross packages of Knoxa cold tablets, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped (by the L. J. Barnet Co.) from Des Moines, Iowa, and transported from the State of Iowa into the State of Washington, arriving at Seattle on or about December 24, 1928, 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 acetanilide, a quinine salt, powdered crude drugs including a laxative plant drug, resins, and traces of aloin, capsicum, ipecac alkaloids, and mydriatic alkaloids.

It was alleged in the libel that the article was misbranded in that the following statements, regarding the curative and therapeutic effects of the article, borne on the label, (carton) "For * * * LaGrippe * * * for * * * an attack of LaGrippe," (display carton) "For * * * LaGrippe," (circular) "For * * * attack of LaGrippe * * * for * * * einem Anfall von LaGrippe," were false and fraudulent.

On April 17, 1929, no appearance having been entered in the case, a default decree of condemnation, forfeiture, and destruction was entered. Subsequently the Bartell Drug Co., Seattle, Wash., appeared as claimant and filed a stipulation for the posting of a surety bond for the reconditioning of the product. On May 17, 1929, an order of the court was entered releasing the said product to the claimant under bond in the sum of \$250, the conditions of said bond requiring that the article be brought into compliance with the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16382. Misbranding of Fluin. U. S. v. 51 Packages of Fluin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23353. I. S. No. 03638. S. No. 1493.)

On January 29, 1929, the United States attorney for the District of Connecticut, 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 51 packages of Fluin, remaining in the original unbroken packages at Stamford, Conn., alleging that the article had been shipped by the Fluin Co., New York, N. Y., on or about January 4, 1929, and transported from the State of New York into the State of Connecticut, 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 camphor amidopyrine and a compound with a hexamethylene tetramine nucleus.

It was alleged in the libel that the following statements, borne on the labels, were false and misleading: (Circular) "It is absolutely harmless;" (folder enclosed in display carton) "It contains no harmful ingredients * * * having antitoxical and antibacterial functions, eliminating the poisons and inhibiting the growth of germs producing the disease. It possesses * * * a diuretic." Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the said article,

borne on the labels, (display carton) "An effective treatment for * * * Influenza, Sore Throat * * * Prevent Pneumonia * * * Fluin Tablets—prevent Pneumonia * * * Fluin," (folder enclosed in display carton) "Fluin * * * Influenza, Sore Throat * * * and the complications usually arising from them. If taken in time, Fluin will tend to prevent * * * influenza developing into pneumonia * * * having antitoxical and antibacterial functions, eliminating the poisons and inhibiting the growth of the germs producing the disease. It possesses * * * a diuretic. * * * Influenza * * * well known to be * * * one of the most dangerous of modern diseases, because of the frequency with which they develop into Pneumonia. * * * A great public demand has arisen for a real remedy for these diseases. Fluin meets these requirements. * * * Why, then, take a chance with * * * Influenza and their resulting complications, when so effective treatment is at hand? * * * Influenza-Grippe * * * Sore Throat," (label) "Fluin * * * highly effective treatment for Influenza, Sore Throat * * * for * * * Influenza," (circular) "Fluin is * * * effective and scientifically proved treatment for * * * Influenza (Grippe), Sore Throat, and * * * is especially valuable for the prevention of complications arising from * * * influenza. Its function is antitoxical and antibacterial, eliminating the poisons and inhibiting the growth of the germs producing the disease. * * * Influenza-Grippe * * * Continue if necessary. Sore Throat," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and 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 purchasers thereof and create in the minds of such purchasers the impression and belief that the said 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 12, 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.*

16383. Misbranding of Hi-Grade Kold Breakers. U. S. v. 134 Boxes of Hi-Grade Kold Breakers. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23563. I. S. No. 02784. S. No. 1766.)

On or about April 3, 1929, the United States attorney for the Western District of New York, 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 134 boxes of Hi-Grade Kold Breakers, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by the Continental Drug Co., from Alton, Ill., February 18, 1929, and transported from the State of Illinois into the State of New York, 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 the uncoated tablets contained acetanilide (0.97 grain per tablet), capsicum, and extracts of laxative plant drugs including podophyllin, a small amount of iron salts, and sulphates.

It was alleged in the libel that the article was misbranded in that the statements, borne on the carton, "For * * * Influenza * * * Grippe * * * An effective * * * treatment for * * * Grippe. * * * Influenza," regarding the curative and therapeutic effects of the said article were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed, and 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 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 in the diseases and conditions named therein.

On May 10, 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.*