days after the first dose has been digested. * * * To obtain the maximum effect;" (tablets Bacillus Bulgaricus, carton and bottle label) "Enteritis, infectious diarrhea, infantile diarrhea, and other gastro-intestinal affections of bacterial origin."

On February 15, 1929, Parke, Davis & Co., St. Louis, Mo., having appeared as claimant for the property and having tendered bond in the sum of $100, conditioned as provided by law, it was ordered by the court that the bond be approved and the product delivered to the said claimant upon payment of costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16389. Adulteration and misbranding of alterative tablets, combination tablets, heart sedative tablets, phenolphthalein tablets, phenolphthalein compound tablets, phenacetin tablets, rheumatism tablets, and strychnine sulphate tablets. U. S. v. P. H. Mallen Co. Plea of guilty. Fine, $100 and costs. (F. & D. No. 22531. I. S. Nos. 14251-x, 14252-x, 14257-x, 14259-x, 14260-x, 14261-x, 14262-x, 14266-x.)

On March 16, 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 an information against the P. H. Mallen Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the food and drugs act, on or about July 30, 1926, from the State of Illinois into the State of Michigan, of quantities of drugs in tablet form which were adulterated and misbranded. The articles were labeled in part, respectively: (Bottles) "No. 1 A. Alterative * * * Arsenicum 1/60 gr. * * * Prepared By P. H. Mallen Company;" "Combination Tablets No. 87 Analgesic and Anodyne;" "No. 3 Heart Sedative * * * Glonoine 1-100 gr. * * * Tablets;" "Phenolphthalein Tablets;" "Phenolphthalein Comp. No. 209 Phenolphthalein 1-10;" "Phenacetin 1 Grain;" "No. 200 Rheumatism Lithium Salicylate 3 grs. Colchicine * * * Macrotin * * * Phytolaccin * * * tablet;" "Tablets of Strychnine Sulphate * * * 1/60 Gr."

It was alleged in the information that the phenolphthalein tablets were adulterated in that the article was sold under and by a name recognized in the National Formulary and differed from the standard of strength and purity as determined by the test laid down in said formulary at the time of the investigation of the article, in that each tablet contained not more than 0.813 grain of phenolphthalein and 0.1228 grain of calomel, whereas said formulary provided that phenolphthalein tablets contain 1 grain of phenolphthalein and no calomel, and the standard of strength, quality, and purity of the article was not declared on the container thereof. Adulteration of the alterative tablets was alleged for the reason that the strength of the article fell below the professed standard and quality under which it was sold, in that each tablet was represented to contain 1/60 grain of arsenicum, whereas each of said tablets contained more arsenicum than so represented, to wit, 1/21 grain of arsenicum, to wit, not less than 0.0491 grain of arsenicum. Adulteration of the remaining tablets was alleged for the reason that the strength and purity of the articles fell below the professed standard and quality under which they were sold in that each of the said combination tablets was sold as containing 3 grains of acetanilide, whereas each of said tablets contained not more than 1.83 grains of acetanilide; each of the said heart sedative tablets was represented to contain 1/100 grain of glonoine, whereas each of said tablets contained not more than 0.00056 grain of glonoine, i. e., approximately 1/1800 grain of glonoine; each of the said phenolphthalein compound tablets was represented to contain 1/10 grain of phenolphthalein, whereas each of said tablets contained not more than 0.0874 grain, i. e., approximately 7/8 of 1/10 grain of phenolphthalein; each of said phenacetin tablets was represented to contain 1 grain of phenacetin, whereas each of said tablets contained not more than 0.7639 grain, i. e., approximately 3/4 grain of phenacetin; each of said rheumatism tablets was represented to contain 3 grains of lithium salicylate, whereas said tablets contained no lithium salicylate; and each of said strychnine sulphate tablets was represented to contain 1/60 grain of strychnine sulphate, whereas each of said tablets contained not more than 0.01235 grain, i. e., approximately 1/80 grain of strychnine sulphate.

Misbranding of the said phenolphthalein tablets was alleged for the reason that the statement, to wit, "Phenolphthalein tablets," borne on the bottle label, was false and misleading in that it represented that the active medicinal agent of the said tablets consisted wholly of phenolphthalein, whereas the active medicinal agent of said tablets did not consist wholly of phenolphthalein but did consist in part of calomel. Misbranding of the combination tablets was alleged for the reason that they contained acetanilide and the label failed to bear a statement of the quantity and proportion of acetanilide contained therein.

Misbranding of the rheumatism tablets was alleged for the reason that the statements "Lithium Salicylate 3 grs. * * * tablet" and "Lithium Salicylate, Colchicine, Macrotin, Phytolaccin," borne on the bottle labels, were false and misleading in that the said statements represented that the said tablets each contained 3 grains of lithium salicylate and were composed of lithium salicylate, colchicine, macrotin, and phytolaccin, whereas the article was not so composed, but was composed of colchicine, macrotin, phytolaccin, and lithium carbonate, and contained no lithium salicylate. Misbranding of the remaining tablets was alleged for the reason that the statements, "Arsenicum 1–60 gr. * * * tablets," with respect to the alterative tablets, "Glonoine 1–100 gr. * * * tablets," with respect to the heart sedative tablets, "Phenolphthalein 1–10 gr. * * * tablets," with respect to the phenolphthalein compound tablets. "Phenacetin 1 Grain," with respect to the phenacetin tablets, and "Tablets of Strychnine Sulphate * * * 1/60 Gr.," with respect to the strychnine sulphate tablets, borne on the respective labels, were false and misleading in that the said statements represented that the articles contained 1/60 grain of arsenicum, 1/100 grain of glonoine, 1/10 grain of phenolphthalein, 1 grain of phenacetin, or 1/60 grain of strychnine sulphate, as the case might be, whereas the said alterative tablets contained more than 1/60 grain of arsenicum; the said heart sedative tablets contained less than 1/100 grain of glonoine, the said phenolphthalein compound tablets contained less than 1/10 grain of phenolphthalein, the said phenacetin tablets contained less than 1 grain of phenacetin, and the said strychnine sulphate tablets contained less than 1/60 grain of strychnine sulphate.

On May 1, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $100 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16390. Misbranding of Nue-Ovo. U. S. v. 496 Cartons of Nue-Ovo. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23411. I. S. No. 0345. S. No. 1414.)

On February 19, 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 condemnaiton of 496 cartons of Nue-Ovo, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Research Laboratories (Inc.) from Portland, Oreg., and transported from the State of Oregon into the State of Washington, arriving at Seattle on or about November 2, 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 a dark brown aqueous solution of extracts of plant drugs including a laxative drug and a bitter drug, resin, saponin, and caffeine, colored with caramel and preserved with sodium benzoate.

It was alleged in the libel that the article was misbranded in that the following statements, borne on the labeling, regarding the curative and therapeutic effects of the said article, (shipping carton) "Treatment for rheumatism," (bottle label) "Treatment for Rheumatism of any form Articular, Muscular, Inflammatory, Lumbago, Rheumatism of the Heart, Neuritis, Arthritis, and others * * * directions * * * In severe cases or to secure results more quickly, * * * Taking the bedtime dose hot often increases the effectiveness. After all pains and symptoms have disappeared take * * * notice. Ordinarily, Nue-Ovo causes a period of 'reaction' to appear about the fourth day of treatment, sometimes sooner in mild cases. This is evident by the possible shifting of the pain to other parts of the body heretofore unaffected, or it may react on the nerves of the stomach. It may also cause added distress. This change of condition may remain for only a few hours, or it may persist for a day or so. In cases of Arthritis the time of reaction is less certain, generally lasting considerably longer and in some cases recurring later in the treatment. As soon as the 'reaction' has passed the pain gradually disappears and soon entirely stops. In taking Nue-Ovo, Watch for the Reaction—It is the turning point. * * * Children can use it with the same beneficial results * * * It builds rich, pure blood, restores the kidneys to normal action, soothes the nerves, and brings about a complete general betterment of run-down conditions. As a general tonic it is unexcelled," (circular) "You and your Rheumatism—being proof of what many of the suffering folk have found through the use of that wonderful treatment * * *. Treatment for Rheumatism * * * Its use is universally followed by a general betterment of