

the said article were false and fraudulent, since it contained no ingredients or combination of ingredients capable of producing the effects claimed: (Translated from Spanish) "Palatol is useful in the treatment of Asthma, Bronchitis, * * * Coughs, and all Catarrhal Affections of the Respiratory Organs. * * * also * * * in * * * Nervous Affections, Anemia, General Debility, Scrofula, * * * Enlarged Glands, Loss of * * * Weight, Malaria, and Impaired Vitality."

On April 30, 1929, Parke, Davis & Co., New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$150, conditioned in part that it should not be sold or otherwise disposed of until properly relabeled as required by law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16538. Misbranding of Forkola Jell. U. S. v. 42 Jars of Forkola Jell. Default decree of condemnation and destruction. (F. & D. No. 23544. I. S. No. 02783. S. No. 1750.)

On March 21, 1929, the United States attorney for the Western District of Pennsylvania, 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 42 jars of Forkola Jell at Pittsburgh, Pa., alleging that the article had been shipped by the Bacorn Co., from Elmira, N. Y., on or about November 23, 1928, and transported from the State of New York into the State of Pennsylvania, 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 was an ointment consisting essentially of a petrolatum base containing benzoin and volatile oils including peppermint and eucalyptus oils, camphor, menthol, turpentine oil, and methyl salicylate.

The article was labeled in part: (Jar label) "Relieving Allaying * * * Abating * * * Congestion and Inflammation * * * For Spasmodic Croup * * * Nasal Catarrh, Bronchitis, Sore Throat, Coughs, Whooping Cough, Tonsillitis, Asthma, etc., spread * * * 'Vaporizing Forkola Jell' * * * Incipient Pneumonia * * * Then rub Forkola Jell in well and spread on * * * Leave covering loose around neck so that vapors arising may be freely inhaled. Continue * * * until fever is reduced * * * For: Bites, Boils * * * Eczema, Itchings, Neuralgia, Pains, Itching Piles, * * * Muscular Rheumatism, Salt Rheum."

It was alleged in the libel that the article was misbranded in that the statements contained on the jar label were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 7, 1929, no claimant having appeared for the property, judgment of condemnation 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.*

16539. Misbranding of Over Night cold tablets. U. S. v. 6 Dozen Packages of Over Night Cold Tablets. Default decree of condemnation and destruction. (F. & D. No. 23478. I. S. No. 02777. S. No. 1657.)

On February 28, 1929, the United States attorney for the Western District of Pennsylvania, 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 6 dozen packages of Over Night cold tablets at Pittsburgh, Pa., alleging that the article had been shipped by the Dow Drug Co., from Cincinnati, Ohio, on or about November 13, 1928, and transported from the State of Ohio into the State of Pennsylvania, 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 tablets contained acetanilide, caffeine, a quinine compound, sodium bicarbonate, and an extract of a laxative plant drug.

It was alleged in the libel that the article was misbranded in that the statement, "For LaGrippe * * * Until Relieved," borne on the carton label, regarding the curative and therapeutic effects of the said article was false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 7, 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.*

16540. Adulteration and misbranding of Fenholloway Sulphur Springs water. U. S. v. 3½ Cases of Fenholloway Sulphur Springs Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23067. I. S. No. 02210. S. No. 1161.)

On September 13, 1928, the United States attorney for the Middle District of Georgia, 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 3½ cases of Fenholloway Sulphur Springs water, remaining in the original unbroken packages at Thomasville, Ga., alleging that the article had been shipped by A. E. Jackson, from Fenholloway, Fla., August 7, 1928, and transported from the State of Florida into the State of Georgia, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Original Fenholloway Sulphur Springs Water, the Greatest Health Restorer of the Twentieth Century 12 Oz. Net Bottled by A. E. Jackson, Fenholloway, Fla."

It was alleged in the libel that the article was adulterated under section 7 of the act, paragraph 6, under food, in that it consisted in part of a filthy animal and vegetable substance.

It was further alleged that the said article was misbranded under section 8 of the act, paragraph 3, as amended under drugs, in that the statement on the label, "The Greatest Health Restorer of the Twentieth Century," regarding the curative and therapeutic effects of the article was false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed. Further misbranding of the article under section 8 of the act, paragraph 3, as amended under food, was alleged for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package and was not expressed in terms of liquid measure.

On April 4, 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.*

16541. Misbranding of Fildrysine. U. S. v. 30 Bottles of Fildrysine. Default decree of condemnation, forfeiture, and destruction. F. & D. N. 23158. I. S. No. 02104. S. No. 1226.)

On or about October 25, 1928, the United States attorney for the District of Porto Rico, 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 30 bottles of Fildrysine at San Juan, P. R., alleging that the article was being offered for sale and sold in Porto Rico, by Serra, Garabis & Co., San Juan, P. R., 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, potassium, arsenic, mercury, and berberin compounds, iodides, glycerin, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article, borne on the carton and bottle label and in the accompanying circular, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton and bottle label) "Recommend for such states of the blood and skin which require the use of a depurative," (circular) "Cure yourself, * * * Our Lady of Lourdes, Fountain of Health, Hundreds of faithful people annually visit in search of health, the Miraculous Fountains of Lourdes. You do not need to make such an expensive trip; have faith in the medicines prescribed in this pamphlet and you will enjoy good health. Faith is what saves * * * Out with the bad humors with the use of this prodigious and new depurative, the most powerful blood purifier * * * Its use is indicated in all the diseases which are due to bad humors or viciated blood, either recent or chronic, hereditary or by contagion. Therefore, it combats with efficacy Filariosis (chronic inflammation of the legs) Syphilis (chancres, chancroids, cutaneous eruptions and other