

On September 30, 1929, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16868. Adulteration and misbranding of Knewitz's Stopake powders. U. S. v. 12 Dozen Packages of Knewitz's Stopake Powders. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23401. I. S. No. 01550. S. No. 1534.)

On February 15, 1929, the United States attorney for the Eastern District of Missouri, 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 12 dozen packages of Knewitz's Stopake powders, remaining in the original packages at St. Louis, Mo., in possession of the Narco Drug Co., alleging that the article had been transported in interstate commerce by G. Knewitz, from East St. Louis, Ill., on or about January 3, 1929, by a salesman of the Narco Drug Co., to St. Louis, Mo., and charging adulteration and 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 acetanilid (3.01 grains per capsule), and aspirin (6.06 grains).

It was alleged in the libel that the article was adulterated in that its strength, quality, or purity fell below the professed standard under which it was sold, namely, that each powder contained "Acetanilid 3½ grains per dose."

Misbranding was alleged for the reason that the statement on the package, "Contains acetanilid 3½ grains per dose," was false and misleading. Misbranding was alleged for the further reason that the package failed to bear a statement on the label of the quantity or proportion of acetanilid contained in the article. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, (carton and display carton) "Neuralgia, Toothache, Rheumatism, Backache, * * * Grippe, Earache, Sore Joints, Ache, Pain and Soreness," (circular) "Grippe, Earache, Rheumatism, Sore Joints, Neuralgia, Sore Throat, Toothache, Backache, Womens Pains, Neuralgia, Toothache * * * Rheumatism, Sciatica, Sore Joints * * * Grippe, Influenza Burn * * * Boils, Carbuncles, and Felons * * * Earache," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 18, 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.*

16869. Misbranding of Pronto. U. S. v. 24 Dozen Packages of Pronto. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23469. I. S. No. 05581. S. No. 1631.)

On February 27, 1929, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court for said district a libel praying seizure and condemnation of 24 dozen packages of Pronto, remaining in the original and unbroken packages at Tampa, Fla., alleging that the article had been shipped by the National Drug Products (Inc.), from Albany, Ga., on or about January 21, 1929, and transported from the State of Georgia into the State of Florida, 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 ammonium salicylate, glycerin, small amounts of potassium, antimony, and free ammonia, traces of magnesium, chlorides, and sulphates, and an extract of a laxative plant drug.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the labels, "Through this remedy your greatest health-enemies (* * * grippe, and flu germs) have been inactivated," were false and misleading. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, (bottle) "Grippe * * * Coughs * * * Sore Throat," (carton) "Grippe * * * Coughs * * * Sore Throat * * * Chronic Constipation * * * valuable aid in * * * Bronchitis, Sore Throat and Hoarseness, * * * anyone with a sensitive throat, will find this preparation * * * help in keeping the throat in the pink of condition," (circular) "Grippe. This disease is so akin to Flu that we recommend the same treatment; that is, two tea-