

Misbranding was alleged in substance for the reason that the statement borne on the circular, "Made from wholesome herbs and grains," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "Keen Health in a Clean Body;" (circular) "Good-bye Disease Now Made Possible with Mr. Hollie's Lax Wafer."

On October 26, 1929, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16948. Misbranding of Inhalet. U. S. v. 5½ Gross of Inhalet. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 24383. I. S. No. 028658. S. No. 2633.)

On December 17, 1929, the United States attorney for the Southern 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 5½ gross of drugs labeled "Inhalet," alleging that the article had been shipped by the Lobe Manufacturing Co., from Middleboro, Mass., on or about December 4, 1929, and transported from the State of Massachusetts 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 it consisted essentially of menthol.

It was alleged in the libel that the article was misbranded in that the following statements borne on the label and display card, regarding the curative and therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Label) "Brings Relief For Neuralgia, Catarrh \* \* \* Influenza, Asthma, Sore Throat, Hayfever, Bronchitis;" (display card) "For \* \* \* Headache \* \* \* Asthma \* \* \* Neuralgia \* \* \* Catarrh \* \* \* Hay Fever."

On January 7, 1930, 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.*

**16949. Misbranding of Rice's cough syrup. U. S. v. 6 Dozen Bottles of Rice's Cough Syrup, et al. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 23435. I. S. Nos. 05689, 05690. S. No. 1622.)

On February 22, 1929, the United States attorney for the Western District of Virginia, 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 bottles of Rice's cough syrup and 9 jars of Rice's salve, remaining in the original unbroken packages at South Boston, Va., alleging that the articles had been shipped by the Rice Chemical Co., from Greensboro, N. C., on or about January 4, 1929, and transported from the State of North Carolina into the State of Virginia, 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 extracts of plant drugs including white pine, wild cherry, sassafras, and bloodroot; alcohol, glycerin, sugar, and water.

The articles were labeled in part, respectively: (Rice's cough syrup, bottle label) "For Coughs \* \* \* Croup, Whooping Cough, Influenza, Hoarseness, Bronchitis. All Throat and Lung Troubles;" (carton label) "For Coughs \* \* \* Croup, Whooping Cough, Influenza, Hoarseness, Bronchitis, All Throat and Lung Troubles;" (Rice's salve, jar label) "Pneumonia. Rub one-half jar or more on chest and throat and apply warm flannel saturated with salve. Apply hot iron to flannel rubbing gently. Apply also between shoulders, under arm-pits, and to seat of pain. Repeat every two hours until relieved. Coughs \* \* \* Rub the salve over the chest and throat. In severe cases cover chest with warm flannel saturated with salve. Repeat every two hours until relieved. Coughs, Sore Throat, Bronchitis and LaGrippe, Apply the salve over chest and throat. Swallow a small quantity. In severe cases follow directions for Pneumonia. Catarrh and Hay Fever. Snuff a small quantity of the salve

up the nostrils morning and night, or oftener if required. In severe cases heat a spoon full of salve and spray with atomizer. Whooping Cough and Asthma. Apply salve over spinal column from neck to hips. Rub over throat and chest. Swallow a small quantity. Repeat until relieved. Inflammations. For skin eruptions;" (carton label) "When applied externally it acts both externally and internally \* \* \* An efficient remedy for relief of Croup, Coughs \* \* \* Catarrh, Asthma, Influenza, Pneumonia, Sore Throat, Whooping Cough, \* \* \* Eczema, Bronchitis."

It was alleged in the libel that the articles were misbranded in that the said labels bore statements regarding the curative and therapeutic effects of the articles which were false and fraudulent, since the said articles contained no ingredients or combinations of ingredients capable of producing the effects claimed.

On September 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.*

**16950. Misbranding of aspirin tablets. U. S. v. 46 Dozen Tins of Aspirin Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23966. I. S. No. 08993. S. No. 2186.)**

On August 21, 1929, the United States attorney for the Southern District of Indiana, 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 46 dozen tins of aspirin tablets, remaining in the original unbroken packages at Kokomo, Ind., alleging that the article had been shipped by the Roosa & Ratliff Chemical Co., Cincinnati, Ohio, on or about July 3, 1929, and transported from the State of Ohio into the State of Indiana, 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 approximately 5 grains of acetylsalicylic acid.

The article was labeled in part: (Tin container) "Aspirin is a relief for Rheumatism, Influenza \* \* \* also for all forms of Neuralgia. It is most useful in Gout, Sciatica and Muscular Rheumatism;" (circular) "Earache \* \* \* Rheumatism, Lumbago, Neuralgia, Sciatica \* \* \* Sore Throat Gargle \* \* \* Periodic Pains."

It was alleged in the libel that the article was misbranded in that the tins and the circular accompanying the article contained false and fraudulent statements regarding the curative and therapeutic effects of the said article, since it contained no ingredient or combination of ingredients capable of producing the effects claimed in the said circular and printed on said tin.

On December 21, 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.*