

Court of the United States for said district a libel praying seizure and condemnation of 91 quarter-pound tins of ether, remaining in the original unbroken packages at St. Paul, Minn., alleging that the article had been shipped by the Mallinckrodt Chemical Works, from St. Louis, Mo., on or about August 28, 1928, and transported from the State of Missouri into the State of Minnesota, and charging adulteration in violation of the food and drugs act.

Analysis of a sample of the article by this department showed that it contained peroxide.

The article was labeled in part: "Ether for Anesthesia."

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of purity as specified by that authority, in that it contained peroxide.

On January 9, 1930, no claimant having appeared for the property, a decree was entered by the court ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17053. Misbranding of Kata-rroll. U. S. v. 4 Dozen Bottles of Kata-rroll. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24211. I. S. 022489. S. No. 2454.)**

On or about November 11, 1929, 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 4 dozen bottles of Kata-rroll at San Juan, P. R., alleging that the article was being sold and offered for sale 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 extracts of plant drugs, guaiacol, glycerin, menthol, sugar, alcohol (0.3 per cent), 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 article, appearing in the labeling, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label) "Kata-rroll. For Bronchi-pulmonary affections. Cough, Bronchitis, Hoarseness, etc. \* \* \* an antiseptic for the respiratory tract;" (carton label) "For all Bronchial and Lung Troubles. Relieves Coughs \* \* \* Bronchitis, etc. \* \* \* Antiseptic for the Respiratory Organs [this statement appears in both English and Spanish];" (circular) "Kata-rroll-Tuberculosis-Bronchitis-Influenza Catarrhs. For bronchio-pulmonary affections-Cough-Bronchitis-Hoarseness, etc. \* \* \* antiseptic of the respiratory tract \* \* \* Tuberculosis is the most curable of all infectious diseases. Catarrh, Bronchitis, Influenza, Tuberculosis. \* \* \* The best remedy for treating tuberculosis is creosote. Katarroll contains a large dose per tablespoonful of pure Guaiacol, a derivative with all the advantages of creosote of Haya. \* \* \* the best ingredients \* \* \* for the treatment of asthma \* \* \* influenza, spasmodic cough, night sweats and tuberculosis \* \* \* antiseptic, regenerating \* \* \* properties for the throat, bronchios and lungs. \* \* \* the results obtained are rapid and sure. Since the first dose, it diminishes and modifies the fatigue, cough, etc. \* \* \* It brings the bronchio-pulmonary secretions to their normal condition, \* \* \* calming the natural intranquility of persons attacked by affections of the respiratory organs."

On December 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.*

**17054. Adulteration and mishranding of Nose-Ions. U. S. v. 6 Dozen Packages of Nose-Ions. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23833. I. S. No. 07495. S. No. 2008.)**

On July 5, 1929, the United States attorney for the District of Colorado, 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 Nose-Ions, remaining in the original unbroken packages

at Denver, Colo., consigned by the Nose-Ions Co., Brooklyn, N. Y., alleging that the article had been shipped from Brooklyn, N. Y., May 22, 1929, and transported from the State of New York into the State of Colorado, 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 petrolatum containing small amounts of quinine sulphate, salicylic acid, camphor, and eucalyptol. Bacteriological examination showed that it was neither antiseptic nor germicidal.

It was alleged in the libel that the article was adulterated in that it was sold under the following standard of strength, (circular) "Antiseptic and Germicide," whereas the strength of the said article fell below such professed standard.

Misbranding was alleged for the reason that the following statement on the circular accompanying the article was false and misleading: "Antiseptic and Germicide." Misbranding was alleged for the further reason that the following statements appearing on the shipping case, retail carton, and in the accompanying circular, 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: (Shipping case) "Nose-Ions for Catarrh;" (retail carton) "Indications: Catarrh, Grippe \* \* \* Bronchitis, Hay Fever, Rhinitis, etc.;" (circular) "Grippe, Influenza, Hay Fever, Rhinitis, Pharyngitis, Laryngitis, Bronchitis, Measles, Scarlet Fever, Coughs, etc. \* \* \* A remedy for Grip, Rhinitis, Pharyngitis, Laryngitis, Bronchitis and to prevent complications of the respiratory tract in Measles, Scarlet Fever, etc."

On December 14, 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.*

**17055. Misbranding of Oxidine and tasteless Oxidine. U. S. v. 78 5/12 Dozen Bottles of Oxidine, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24077. I. S. Nos. 010453, 010480. S. No. 2225.)**

Examination of samples of drug products known as "Oxidine" and "Tasteless Oxidine," by this department, showed that the labels bore claims of their curative properties in certain ailments for which cinchona alkaloids are customarily prescribed, and that the products contained insufficient cinchona alkaloids to cure such ailments when taken in the doses and for the period of time indicated in the directions on the bottle. The labels also bore further curative and therapeutic claims for their effectiveness that were not justified by the composition of the articles.

On September 20, 1929, the United States attorney for the Eastern District of Louisiana, 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 78½ dozen bottles of Oxidine, and 4⅝ dozen bottles of tasteless Oxidine, remaining in the original unbroken packages at New Orleans, La., alleging that the articles had been shipped by W. S. Kirby, Dallas, Tex., in part on or about June 8, 1929, and in part on or about July 24, 1929, and transported from the State of Texas into the State of Louisiana, and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the article by this department showed that the Oxidine consisted essentially of quinine sulphate (2.54 grains per fluid ounce), cinchonine sulphate (2.83 grains per fluid ounce), extracts of a laxative plant drug, glycerin, sugar, alcohol, and water; and the tasteless Oxidine consisted essentially of cinchonidine sulphate, oil of peppermint, sugar, alcohol, and water.

It was alleged in the libel that the articles were misbranded in that the following statements regarding the therapeutic or curative effects of the said articles, borne on the labels, were false and fraudulent, since they contained no ingredient or combination of ingredients capable of producing the effects claimed: (Oxidine, shipping carton) "An Antidote for All Malarial Diseases;" (Oxidine, retail carton) "An Antidote for Malaria. A Food Digester \* \* \* Blood Medicine. An Effective Remedy for Chills and Fevers, A Mild Liver and Kidney Medicine \* \* \* Relieves \* \* \* LaGrippe. The Life is in