

On June 3, 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.*

17318. Misbranding of Orium medicated salve and liquid Orium. U. S. v. 12 Dozen Small-Sized Jars of Orium Medicated Salve, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 24704, 24705. I. S. Nos. 037541, 037542, 037543. S. No. 3038.)

On April 7, 1930, 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 12 dozen small-sized jars and 10½ dozen large-sized jars of Orium medicated salve, and 9 bottles of liquid Orium, remaining in the original unbroken packages at New Orleans, La., alleging that the articles had been shipped by the Vicksburg Chemical Co., Vicksburg, Miss., on or about February 28, 1930, and transported from the State of Mississippi into the State of Louisiana, and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the articles by this department showed that the liquid Orium consisted essentially of liquid petrolatum and volatile oils including menthol, camphor, eucalyptus oil and turpentine, or pine oil; and the Orium medicated salve consisted essentially of petrolatum and volatile oils including menthol, camphor and eucalyptus and pine oils.

It was alleged in the libel that the articles were misbranded in that the following statements regarding the curative or therapeutic effects of the said articles, appearing in the labeling, were false and fraudulent, since they contained no ingredients or combinations of ingredients capable of producing the effects claimed: (Cartons, both size jars of salve) "Rub On Freely * * * Inflammation is usually reduced quickly. Especially is this true in croup, coughs, * * * influenza pneumonia, bronchitis, tonsillitis and sore throats * * * Inhale The Fumes * * * gives quick relief in cases of * * * catarrh, asthma, croup and whooping cough. * * * Quick and Powerful for relief of * * * coughs, spasmodic croup, influenza, pneumonia, catarrh, asthma, sore throat, whooping cough, headaches, hay fever, bronchitis, tonsillitis * * * eczema * * * Usually Gives Relief in Half an Hour;" (jar label, salve, small size) "For Relief of Croup, Coughs * * * Influenza, Pneumonia, Catarrh, Asthma, Hay Fever, Sore Throat, Whooping Cough, Headaches, Bronchitis, Tonsillitis, * * * Piles, Eczema;" (jar label, salve, large size) "The Modern Treatment. A First Aid in Treatment of * * * Coughs, Croup, Influenza, Pneumonia, Catarrh, Asthma, Hay Fever, Sore Throat, Whooping Cough, Headaches, Bronchitis, Tonsillitis, * * * Piles, Eczema;" (circular with salve, small size) "Treatment * * * croup, pneumonia, influenza, etc. * * * As a Preventive Orium will also be found most beneficial as a preventive of * * * infections of every kind * * * For * * * croup, pneumonia, influenza, la grippe, and all troubles affecting the respiratory organs * * * Rub on freely * * * Inflammation is usually reduced quickly. Especially is this true in croup, coughs, * * * influenza pneumonia, bronchitis, tonsillitis and sore throat. * * * Sore Throat. In cases of severe sore throat, * * * apply Orium, * * * especially along the glands of the neck * * * Catarrh * * * it will give much relief. * * * Piles * * * Headache And Neuralgia * * * Earache * * * Toothache * * * Hay Fever * * * Quick and Powerful For Relief of Croup, Coughs, * * * Influenza, Pneumonia, Catarrh, Asthma, Hay Fever, Sore Throat, Whooping Cough, Headaches, Bronchitis, Tonsillitis, Itching Piles, Eczema;" (circular with salve, large size) "Orium is a medicated salve which was discovered as the culmination of a long and exhaustive search for a treatment of * * * coughs, croup, influenza and pneumonia. In 1918 came the terrible Influenza Epidemic during the first few weeks of which Orium was discovered, and as a decisive test of its worth to the world, sample jars of Orium were immediately sent out into districts most infested with the plague. The results were marvelous, not only in treatment of influenza, but in pneumonia, * * * and other related ills. * * * Inhale the Fumes. For treatment of * * * croup, and other diseases of the respiratory organs. * * * Insert in the Nostrils for treatment of * * * catarrh and hay fever * * * relief from catarrh or hay fever begin with the first treatment of this sort. * * * Orium for Pneumonia * * *

Immediately the symptoms are discovered the patient should be put to bed and treatments commenced by placing a heated flannel cloth over a liberal coating of Orium on the chest. * * * Orium for * * * Coughs, La Grippe and Sore Throat * * * coughs, la grippe and sore throat, illnesses from which almost every person suffers, are of such nature that they greatly weaken the bodily resistance and often result in serious consequences when neglected. Orium, when applied freely, and promptly, is the modern treatment for these ills. * * * Orium for Croup * * * Orium has been found to be extremely efficacious in treatment of spasmodic croup * * * Orium for Bronchitis and Tonsillitis * * * In treating bronchitis rub Orium freely and thoroughly into the chest * * * In tonsillitis the same treatment should be used on the throat. * * * Use Orium for Hay Fever, Catarrh, and Asthma. * * * In treatment of Catarrh * * * Orium for Influenza * * * Orium for Headaches and Neuralgia * * * Orium for * * * Eczema;" (carton, liquid Orium) "Use * * * In treatment of * * * Headaches, Catarrh, Asthma, Hay Fever, Sore Throat, Coughs and kindred head and throat disorders, * * * in treatment of * * * coughs, influenza, pneumonia, catarrh, asthma, whooping cough, hay fever, bronchitis (circular with liquid Orium) "Orium (prepared both as a liquid and a salve) ache, Catarrh, Asthma, Hay Fever and other disorders affecting the head and throat, * * * Rub Freely on Affected Parts. In treatment of * * * Spasmodic Croup, LaGrippe, Influenza, Pneumonia, and kindred ills;" (circular with liquid Orium) "Orium (prepared both as a liquid and a salve) is the * * * achievement for the treatment of * * * coughs, spasmodic croup, la grippe, pneumonia, hay fever, tonsillitis, catarrh, bronchitis and other disorders affecting the respiratory organs. It is also highly recommended for headache, eczema * * * itching piles * * * In treating hay fever, catarrh and asthma * * * Inhale The Fumes. In treating * * * spasmodic croup, hay fever and headache, * * * Insert in the Nostrils. For the treatment of * * * catarrh, and hay fever * * * In treating * * * catarrh, asthma and hay fever * * * Orium For Pneumonia * * * Orium For * * * Coughs, La Grippe and Sore Throat * * * coughs, la grippe, and sore throats * * * Orium For Croup * * * Orium For Bronchitis and Tonsillitis * * * Use Orium for Hay Fever, Catarrh and Asthma * * * Orium For Influenza * * * Orium For Headache and Neuralgia * * * Orium for * * * Eczema."

On May 6, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17319. Misbranding of Humphreys' No. 77. U. S. v. 5 Dozen Bottles of Humphreys' No. 77. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24713. I. S. No. 024518. S. No. 2769.)

On April 9, 1930, 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 5 dozen bottles of Humphreys' No. 77 at San Juan, P. R., alleging that the article had been shipped by Humphreys' Homeopathic Medicine Co., from New York, N. Y., into Porto Rico, and was being sold and offered for sale in Porto Rico, by Serra, Garabis & Co. (Inc.), 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 the pellets consisted essentially of traces of arsenic and extracts of plant drugs and sugar.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the bottle and wrapper label, and on the accompanying circular, 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: (Wrapper and bottle label) "Grip, Influenza, Catarrh, Pains & Soreness in the Head & Chest, & General Prostration & Fever, * * * Hay Fever;" (circular, in English and several foreign languages) "For Grip, Influenza, Catarrh, Pains and Soreness in the Head, * * * Rose Catarrh. * * * Give for Grip or Influenza * * * For Summer or Rose Catarrh * * * Sufferers from almost any disease will find relief by using Humphreys' effective remedies. * * * for * * * Grip, Influenza it is invaluable. * * * When you Sneeze or Shiver take '77' Immediately."