

Analyses of samples of the articles by this department showed that Dr. H. C. Lemke's laxative herb tea consisted essentially of a mixture of senna, glycyrrhiza, althea, coriander seed, American saffron, buckthorn bark, flaxseed, fennel seed, lavender flowers, uva ursi leaves, elder flowers, and peppermint leaves; and Dr. Lemke's Blood Drops consisted essentially of extracts of plant drugs including a laxative drug, sugar, alcohol, and water.

It was alleged in the libels that the articles were misbranded in that the following statements regarding the curative or therapeutic effects of the articles, appearing in the labeling, were false and fraudulent, since they contained no ingredients or combinations of ingredients capable of producing the effects claimed: (Circular accompanying laxative herb tea) "Used to aid the action of the liver and kidneys. A few conditions in which this tea may be used with good success are constipation, indigestion * * * jaundice * * * coated tongue * * * headache, dizziness, boils, pimples, dry scaly skin, certain eruptions of the skin and face or body, etc., which may be caused from an inactive liver, kidneys, acute infectious diseases, general debility, etc. Good health depends on keeping clean, not only the external body but that which is also important—the internal organs. * * * If the bowels do not carry off the waste matter which nature intends should be thrown off, the stomach fails to work properly, undigested food may remain in the stomach and bowels, the food sours, ferments, starts to decay, poisonous gases may form, which are taken up by the blood. The blood thus poisoned, may cause complications, such as pimples, boils, blotches, rashes, etc. The liver and kidneys may become affected and bring on further complications;" (carton containing laxative herb tea) "These herbs will cure and dispel all attacks of * * * Coughs, Fevers, Catarrh in Head or Stomach. This tea is a valuable remedy to cure Dyspepsia, * * * Sick Stomach, Biliousness; Liver and Kidney Trouble, Headache and Dizziness. This tea will cure Costiveness and regulate the Stomach and Bowels in a short time; it will produce a good * * * digestion. This herb tea is an important blood purifier. It will relieve and certainly cure all diseases which originate from impure blood, such as Scrofula, Jaundice, Yellow Blotches and Pimples on the Face, Itching and Breakouts on the Skin. When this tea is used for a few weeks it will produce a fresh, healthy complexion. This tea is also highly recommended for all Female Diseases;" (circular accompanying Blood Drops) "Have proved a boon to many men and women afflicted with blood impurities, inactive liver, kidneys, stomach, bowels or bilious disorders, such as costiveness, dyspepsia, headache, dizziness, colic, cramps in the stomach or bowels. Taken regularly about the time menstruation is to begin they benefit by lessening the distress of painful or delayed periods;" (carton containing Blood Drops) "Dr. Lemke's Blood Drops * * * A Valuable Stomach Essence. * * * It regulates the Stomach and Bowels, produces a regular evacuation in a few days. These drops expel from the system all bilious disorders of the Liver, Stomach and Bowels, such as Hot, Feverish Skin, Palpitation of the Heart, Dizziness, etc. * * * will relieve Headache in a short time; Dyspepsia * * * Weak Stomach can be relieved in 10 days; diseased Kidneys, trouble of the Bladder, retention of the Urine can be relieved in 15 to 20 days. It is * * * an unfailing remedy for female diseases, as Obstruction of the Monthly Courses;" (label on bottle containing Blood Drops) "Dr. Lemke's Blood Drops * * * These drops have a wonderful power for all diseases of the Blood, Stomach and Bowels, such as: Costiveness, Bile in the Stomach, Pain and Dizziness in the Head, Dyspepsia, Liver and Kidney Diseases, Dropsy, * * * Colic and Cramps, and a thorough Blood Purifier, also for all Female Diseases, Obstruction of Monthly Courses, etc."

On August 6, 1930, and September 8, 1930, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17640. Adulteration and alleged misbranding of ether. U. S. v. 75 Cans of Ether. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 24750. I. S. Nos. 010920, 010921. S. No. 3109.)

Samples of ether from the herein described interstate shipments having been found to contain peroxide and excess acid, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of California.

On May 6, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 75 cans of ether, remaining in the original unbroken packages at Los Angeles, Calif., consigned by the J. T. Baker Chemical Co., Phillipsburg, N. J., from Philadelphia, Pa., alleging that the article had been shipped in part on or about December 12, 1929, and in part on or about February 5, 1930, in interstate commerce into the State of California, and charging adulteration and misbranding in violation of the food and drugs act. A portion of the article was labeled in part: "Ether Purified U. S. P. X." The remainder of the said article was labeled in part: "Ether Purified for Anesthesia U. S. P. X."

Analysis of a sample of the article by this department showed that the ether contained peroxide and excess acid.

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopœia and differed from the standard of purity as determined by the tests laid down in said pharmacopœia official at the time of investigation, in that an examination showed the presence of peroxide and excess acidity. Adulteration was alleged for the further reason that the article fell below the professed standard under which it was sold.

Misbranding was alleged for the reason that the statements on the labels, to wit, "Ether Purified U. S. P. X." and "Ether Purified for Anesthesia U. S. P. X.," were false and misleading.

On July 10, 1930, no claimant having appeared for the property, judgment was entered finding the product adulterated and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be relabeled, "Ether for technical purposes only, not U. S. P., Contains peroxide and excess acid," and sold by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17641. Misbranding of cold and la grippe tablets. U. S. v. 11 Dozen Boxes of Cold and La Grippe Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24911. I. S. No. 028298. S. No. 232.)

Examination of samples of a drug product known as cold and la grippe tablets from the herein described interstate shipment having shown that the labels bore claims of curative and therapeutic effects that the article was incapable of producing, the Secretary of Agriculture reported the matter to the United States attorney for the District of New Jersey.

On July 14, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 11 dozen boxes of cold and la grippe tablets, remaining in the original unbroken packages at Trenton, N. J., alleging that the article had been shipped by Hance Bros. & White (Inc.), Philadelphia, Pa., on or about June 4, 1930, and had been transported from the State of Pennsylvania into the State of New Jersey, 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, cinchona alkaloids (principally cinchonine), and aloin.

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, appearing on the display carton, retail carton, and in the accompanying circular, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Display carton) "La Grippe Tablets—A quick relief for La Grippe;" (retail carton) "La Grippe Tablets * * * Remedy for La Grippe;" (circular) "It is a quick relief for neuralgia and malarial headache. The Remedy Acts by Removing from the System Causes of All Such Ailments. Directions * * * Take two tablets every 3 or 4 hours, until bowels move freely. * * * It is advisable to take one Tablet two or three times a day after the cold has been broken up in order to prevent a return."

On August 12, 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.*