

for acute and chronic Rheumatism;” (carton) “My ancestors never had rheumatism * * * An effective Remedy For Acute and Chronic Rheumatism. * * * [In French and Spanish] In case of sexual debility;” (circular) “For Rheumatism * * * Rheumatism of the Head, Face, Neck, Chest, Back, Shoulders, Small of the Back, Arms and Legs or of the Joints. This preparation is a scientific combination of the best known and approved remedies for Rheumatism, * * * No change of habit or diet is necessary during treatment. * * * Chronic cases usually require from two to three bottles. * * * In all cases where there is great pain give: * * * Where the pain is not very severe, as in most chronic cases.”

On November 12, 1930, no claimant having appeared for the property, judgments were entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17830. Misbranding of 4-44. U. S. v. 24 Bottles of 4-44. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25198. I. S. No. 3948. S. No. 3472.)

Examination of samples of a drug product, known as 4-44, having shown that the labels bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture reported to the United States attorney for the Western District of North Carolina the herein-described interstate shipment of a quantity of the product located at Shelby, N. C.

On October 15, 1930, the United States attorney filed in the United States District Court a libel praying seizure and condemnation of 24 bottles of the said 4-44 at Shelby, N. C., alleging that the article had been shipped by W. B. Nethery, from Elberton, Ga., on or about October 3, 1930, and had been transported from the State of Georgia into the State of North Carolina, 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 magnesium sulphate, compounds of ammonium, sodium potassium, and phosphorus, small proportions of saccharin and salicylic acid, traces of calcium, iodine, and manganese, sugar, and water, flavored with lemon oil and colored with a red dye.

It was alleged in the libel that the article was misbranded in that the following statements borne on the bottle and carton labels were false and misleading: (Bottle) “This preparation builds and purifies the blood giving new life because of the vital elements it contains;” (carton) “The medicinal base of this preparation begins to build you up from the first dose.” Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the said article, borne on the said labels, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle) “4-44 Four Forty-Four For Forty-four diseases, including liver, * * * influenza, Indicated in the treatment of rheumatism, * * * loss of appetite. This preparation builds and purifies the blood giving new life because of the vital elements it contains;” (carton) “4-44 Four Forty-Four * * * Marvelous medicine for many maladies * * * relieves a long list of ailments * * * corrects disorders * * * vitality. The medicinal base of this preparation begins to build you up from the first dose.”

On December 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.*

17831. Adulteration and misbranding of ether. U. S. v. One hundred and twenty-five 1-Pound Cans, et al., of Ether. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 25201, 25247. I. S. Nos. 3072, 3073, 4929. S. Nos. 3480, 3536.)

Samples of ether from the herein-described interstate shipments having been found to contain peroxide and aldehyde, indicating deterioration, the Secretary of Agriculture reported the facts to the United States attorney for the District of Massachusetts.

On October 15 and October 29, 1930, the United States attorney filed in the United States District Court libels praying seizure and condemnation of two hundred and thirty-eight 1-pound cans of ether, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the American Solvents & Chemical Corporation, from Albany, N. Y., in

various consignments on or about September 10, September 17, and September 22, 1930, respectively, and had been transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Ether U. S. P. X."

Analyses of samples of the article by this department showed that the ether contained peroxide and aldehyde.

It was alleged in the libels 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 strength, quality, or purity as determined by the test laid down by said pharmacopoeia official at the time of investigation, and its own standard was not stated upon the label.

Misbranding was alleged for the reason that the statement on the label, "Ether U. S. P. X.," was false and misleading.

On November 24, 1930, 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.*

17832. Misbranding of Teaco ointment. U. S. v. 24 Dozen Jars of Teaco Ointment. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25228. I. S. No. 4926. S. No. 3485.)

An examination of samples of a drug product, known as Teaco ointment, from the herein-described interstate shipment having shown that the labels bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Massachusetts.

On October 21, 1930, the United States attorney filed in the United States District Court a libel praying seizure and condemnation of 24 dozen jars of Teaco ointment, remaining in the original unbroken packages at Springfield, Mass., alleging that the article had been shipped by White & Kleppinger (Inc.), from Chicago, Ill., on or about August 4, 1930, and had been transported from the State of Illinois into the State of Massachusetts, and charging misbranding in violation of the food and drugs act.

Analysis of a sample of the article by this department showed that it consisted essentially of an ointment with a petroleum base containing methyl salicylate, camphor, menthol, and a trace of boric acid.

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 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: (Carton) "Very effective remedy in most forms of inflammation and congestion * * * For coughs, * * * nasal catarrh, headache, neuralgia and all affections of the head, throat, and lungs, this Ointment should be applied by inhalation. * * * For Inflammation Congestion and Rheumatic Pains * * * Highly Recommended for the Following: Asthma * * * Catarrh, Croup, Headache * * * Boils, Whooping Cough, Neuralgia, Bronchitis * * * Pneumonia, Sore Throat, Itching Piles, Rheumatic Pains;" (circular) "Quick Relief From All Pain. Highly Recommended for the following: Asthma * * * Catarrh, Croup, Headache * * * Boils, Whooping Cough * * * Neuralgia, Bronchitis * * * Pneumonia, Sore Throat, Itching Piles, Rheumatic Pains * * * effective remedy for all forms of inflammation and congestion of the organs of respiration and * * * General Directions * * * most beneficial for inflammation or congestion of the organs of respiration * * * relief of congestion, * * * Inflammation and Congestion of the Organs of Respiration. In the diseases of the respiratory organs (air passages and lungs) * * * Asthma * * * Catarrh * * * Chronic Bronchitis * * * Croup * * * Pneumonia—Always call a physician. The directions which follow apply only until his arrival. * * * Inflammation and Congestion of Skin Muscles and Tissues. In the ailments listed below, this Ointment will be found of great value, because of its penetrative and stimulating effect through the skin. * * * Headache-Neuralgia * * * Muscular Rheumatism."

On November 24, 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.*