

0.586 grain of santonin and not less than 0.572 grain of calomel per tablet. The sodium sulphocarbolate tablets were each represented to contain 5 grains of sodium sulphocarbolate, whereas they contained less than so represented, namely, not more than 4.125 grains of sodium sulphocarbolate per tablet. The strychnine sulphate tablets were each represented to contain 1/40 grain of strychnine sulphate, whereas they contained less than so represented, namely, not more than 0.0193 grain of strychnine sulphate per tablet. The sulphonal tablets were each represented to contain 5 grains of sulphonal (sulphon methane), whereas they contained less than so represented, namely, not more than 1.581 grains of sulphonal (sulphone methane) per tablet. The trional tablets were each represented to contain 5 grains of trional (sulphon ethyl methane), whereas they contained less than so represented, namely, not more than 4.29 grains of trional (sulphon ethyl methane) per tablet. The nitroglycerin tablets were represented to contain 1/100 grain of nitroglycerin, whereas they contained less than so represented, namely, not more than 0.00088 grain (less than 1/1000 of a grain) of nitroglycerin per tablet.

Misbranding was alleged for the reason that the statements, to wit, "Tablets Antipyrine 1 grains," "Tablets Barbital Diethyl-Barbituric Acid * * * 5 Gr.," "Tablets Calomel 1/2 grains," "Tablets Mercuric Iodide, Red 1/4 grains," "Tablets Santonin and Calomel Santonin 1-2 gr. Calomel 1-2 gr.," "Tablets Sodium Sulphocarbolate 5 grs.," "Tablets Strychnine Sulphate 1-40 grain," "Tablets Sulphonal (Sulphon Methane) 5 grs.," "Tablets Trional (Sulphon Ethyl Methane) 5 grs.," and "Nitroglycerin 1/100 gr.," borne on the labels of the respective products, were false and misleading in that the said statements represented that the articles contained the amount of the drug declared on the label, whereas they contained less than represented, with the exception of the santonin and calomel tablets, in which case they contained more santonin and calomel than represented.

On December 13, 1930, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$1,000 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17849. Misbranding of Anti-Phymin. U. S. v. 15 Bottles, et al., of Anti-Phymin. Default decrees of destruction entered. (F. & D. Nos. 25076, 25077. I. S. No. 6375. S. No. 3359.)

Examination of samples of a drug product, known as Anti-Phymin, from the herein-described interstate shipment having shown that it was not a compound of essential atmospheric elements, as claimed in the label, and that the said label 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 Southern District of Alabama.

On or about August 26, 1930, the United States attorney filed in the United States District Court libels praying seizure and condemnation of 30 bottles of Anti-Phymin at Mobile, Ala., alleging that the article had been shipped by R. E. MacIntire & Co., from Pensacola, Fla., on or about February 10, 1930, and had been transported from the State of Florida into the State of Alabama, 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 of sulphur dioxide (0.17 per cent), nonvolatile matter (0.02 per cent), and water (99.8 per cent).

It was alleged in the libels that the article was misbranded in that the statement on the label of the bottle, "Anti-Phymin is a compound of essential atmospheric elements," was false and misleading. Misbranding was alleged for the further reason that the following statements borne on the bottle label, regarding the curative or therapeutic effects of the article, were false and fraudulent, since it did not have the curative or therapeutic value claimed by the said statements: "A * * * preparation for internal and external use which effectively controls the bacterial fermentation of waste organic matter in or about the body, the healing gas * * * In the control of fermentation lies the secret of the control of disease. For external use Anti-Phymin should be used in any condition causing or likely to cause pain, soreness or inflammation apply * * * to the part affected and keep same wet with Anti-Phymin."

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.*