

It was alleged in the libel that the article was misbranded in that the following statement appearing on the carton label, regarding the curative and therapeutic effects of the said article, was false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Translated from Spanish) "Treatment For La Grippe."

On January 26, 1931, 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.*

**17933. Misbranding of Pectil Colberg. U. S. v. 3 Dozen Bottles of Pectil Colberg. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 25368. I. S. No. 5711. S. No. 3630.)

Examination of samples of a drug product, known as Pectil Colberg, from the herein-described lot 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 Porto Rico.

On November 24, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of three dozen bottles of Pectil Colberg at San Juan, P. R., alleging that the article was in possession of the Drug Co. of Porto Rico (Inc.), San Juan, P. R., and was being sold and offered for sale in Porto Rico, 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 codeine phosphate, creosote, compounds of sodium and potassium, bromides, glycerophosphates, citrates, sugar, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the carton and bottle labels and in the accompanying circular, regarding the curative or 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: (Carton) "General Indications \* \* \* used for catarrhs;" (bottle) "A preparation highly recommended for grippe, influenza, obstinate coughs and other diseases of the respiratory tract, it being a powerful tonic even in cases of tuberculosis;" (circular) "A preparation \* \* \* prescribed to restore the tissues and energies \* \* \* Laryngitis—It calms the obstinate and irritating cough, prevents the spreading of the inflammation to the trachea and bronchios. Bronchitis—Modifies the expectoration and secretions, calms the cough and improves the general condition of the system. Infantile Bronchitis (frequently accompanied by scrofulosis)—It causes the bronchial symptoms to disappear and prevents the appearance of tuberculosis. Coqueluche or Whooping Cough—It is the ideal treatment for Bronchitis during the course of Coqueluche and even in the convalescence that oftentimes develops into tuberculosis. Pneumonia and Pleurisy—It performs the asepsis of the respiratory apparatus, thus avoiding the later evolution of tubercular affections. Pulmonary Tuberculosis \* \* \* It calms the cough, stops sweating, increases the appetite and strength; it is an energetic therapeutic medium always efficacious. Grippe, Influenza—It prevents the broncho-pulmonary complications and affords the organism the necessary resistance against the bacillus Koch."

On January 26, 1931, 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.*

**17934. Misbranding of Pectil Colberg. U. S. v. 24 Large-Sized Bottles, et al., of Pectil Colberg. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 25411. I. S. No. 5718. S. No. 3669.)

Examination of samples of a drug product, known as Pectil Colberg, from the herein-described lot, 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 Porto Rico.

On December 10, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and con-