

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-

condemnation of 24 large-sized bottles and 41 small-sized bottles of Pectil Colberg at Mayaguez, P. R., alleging that the article was in possession of Manuel Marin & Co., Mayaguez, 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 certain statements in Spanish, a translation of which follows, regarding the curative or therapeutic effects of the said article, appearing on the bottle and carton labels and in the accompanying circulars, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle, both sizes) "Used for catarrhs \* \* \* and for such affections of the respiratory tract;" (carton, both sizes) "General Indications for Pectil Colberg \* \* \* Commonly used for catarrhs \* \* \* affections of the respiratory tract;" (circular, small size) "General indications for Pectil Colberg. 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 makes 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 convalescence that oftentimes develops into tuberculosis. Pneumonia and Pleurisy—It performs the asepis of the respiratory apparatus, thus avoiding the later evolution of tubercular affections. Grippe, Influenza—It prevents the broncho-pulmonary complications and affords the organism the necessary resistance against bacillus Koch. Pulmonary Tuberculosis—It calms the cough, stops sweating \* \* \* always efficacious;" (Circular, large size) "Pectil Colberg \* \* \* Useful during the beginning of the inflammatory diseases of the respiratory tract, such as Catarrh, Hoarseness, Grippe, Colds, Influenza, Whooping Cough, Laryngitis, Bronchitis."

On January 27, 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.*

**17935. Misbranding of Osmo Kaolin. U. S. v. 30 Boxes of Osmo Kaolin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25375. I. S. No. 5717. S. No. 3631.)**

Examination of an alleged drug product, known as Osmo Kaolin, from the herein-described 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 Porto Rico.

On November 25, 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 30 boxes of Osmo Kaolin at San Juan, P. R., alleging that the article had been shipped by Gabriel J. Fajardo, New York, N. Y., on or about December 6, 1929, to Porto Rico, and that it was being offered for sale and sold by Serra, Garabis & Co. (Inc.), of 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 it consisted of clay.

It was alleged in the libel that the article was misbranded in that the following statements borne on the label, 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: "Internal \* \* \* is invaluable in the treatment of disorders arising from intestinal infection by bacteria, the toxins of which it has the power of absorbing to a remarkable degree. In this manner the elimination of these toxins is readily, quickly and safely accomplished without harm to the system. It has been successfully used in the treatment of dysentery, cholera, diarrhoea, ulcerative colitis, rheumatism and gout and in intestinal stasis with its resulting toxæmias. \* \* \* is employed in the preparation of Cataplasmata, to remove