

intensity of the disease and the patient. * * * Diet.—In cases of Acute Rheumatism * * * Persons afflicted with Chronic Rheumatism or Gout, who wish permanent relief, should send to us for our Dietary, * * * For Acute or Inflammatory Rheumatism and Sciatica—Take two teaspoonfuls of Athlophoros * * * After the acute symptoms have disappeared, continue the use of Athlophoros for at least two weeks, * * * For Chronic Rheumatism—Where acute pain is not present, * * * until the symptoms disappear. For Neuralgia—When suffering intense pain, two teaspoonfuls * * * until relieved; * * * For Muscular Rheumatism and Lumbago * * * For Acute Inflammation of the Joints * * * For Chronic Rheumatism of the Joints * * * For Rheumatic Gout * * * For Rheumatism of the Heart (so called) * * * To Mothers—Athlophoros may be used during nursing. During Pregnancy reduce dose as follows: * * * Chronic and Complicated Cases—From the time Athlophoros was first offered to the public, we have solicited, from those who have used it, frank statements of their experience with the remedy; and we have received many thousand letters bearing grateful testimony to its wonderful curative powers.”

On February 6, 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.*

18067. Adulteration and misbranding of ether. U. S. v. 22 Half-Pound Cans and 32 Quarter-Pound Cans of Ether for Anesthesia U. S. P. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25847. I. S. Nos. 5089, 5090. S. No. 4078.)

Samples of ether from the shipments herein described having been found to contain peroxide, a decomposition product, the Secretary of Agriculture reported the matter to the United States attorney for the District of Massachusetts.

On January 31, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 22 half-pound cans and 32 quarter-pound cans of ether, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by Merck & Co. (Inc.), from Rahway, N. J., in part on or about February 1, 1930, and in part on or about October 20, 1930, and had been transported from the State of New Jersey 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 for Anesthesia—U. S. P.”

It was alleged in the libel 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, and purity as determined by the test laid down in the 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 for Anesthesia—U. S. P.,” was false and misleading.

On March 30, 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.*

18068. Misbranding of cubeb cigarettes. U. S. v. 5 Dozen Boxes of Prime Cubeb Cigarettes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25852. I. S. No. 9757. S. No. 4079.)

Examination of cubeb cigarettes from the shipment herein described having shown that the label of the package bore statements representing that the article possessed curative and therapeutic properties which it did not, the Secretary of Agriculture reported the matter to the United States attorney for the District of Maryland.

On February 2, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of five dozen boxes of cubeb cigarettes, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Superior Medicated Products Corporation, from New York, N. Y., on or about October 18, 1930, and had been transported from the State of New York into the State of Maryland, 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 cigarettes made of coarsely ground cubeb.

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, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Package) "A sure relief for Catarrh, Asthma, Hay Fever, Headache * * * and all Diseases of the Nose and Throat. * * * peculiar efficacy in acute and chronic diseases of the nose and throat."

On March 23, 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.*

18069. Misbranding of Bafaline lotion. U. S. v. 8 Dozen Bottles of Bafaline Lotion. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25796. I. S. No. 9297. S. No. 4019.)

Examination of a drug product, known as Bafaline lotion, from the shipment herein described having shown that the carton and bottle labels and the accompanying circulars contained statements representing that the article possessed curative and therapeutic properties which it did not possess, and that it was also represented to be an antiseptic and germicide, whereas it was not, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Virginia.

On January 24, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of eight dozen bottles of Bafaline lotion, remaining in the original unbroken packages at Norfolk, Va., alleging that the article had been shipped by the Bafaline Laboratories, Manchester, N. H., on or about January 8, 1930, and had been transported from the State of New Hampshire into the State of Virginia, 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 benzoic acid, sodium borate, zinc phenolsulphonate, a trace of alkaloids, alcohol, water, and flavoring material. Bacteriological examination showed that the article was not antiseptic nor germicidal when diluted with an equal volume of water as directed on the labeling.

It was alleged in the libel that the article was misbranded in that the statements, "Antiseptic Germicidal * * * use with warm water in equal parts * * * Use two to four tablespoonfuls to a quart of hot water," borne on the bottle label, were false and misleading. Misbranding was alleged for the further reason that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "Tonsillitis * * * Sore Throat * * * Pyorrhea * * * Sore Mouth, * * * Aids in Treatment of Pyorrhea, Heals Tender Bleeding Gums * * * prevents diseases. * * * prevents infection;" (bottle) "For the prevention and treatment of Pyorrhea and Trench Mouth * * * Prophylactic and preventative * * * Pyorrhea, Trench Mouth, Tender Bleeding and Receding Gums. * * * Tonsillitis or Sore Throat. * * * Sore Mouth before * * * extraction. * * * For Pyorrhea, Trench Mouth, Bleeding and Receding Gums in conjunction with Bafaline Lotion * * * Bafaline Dental Powder * * * Bafaline Users * * * are protected from contagious diseases and bodily ills;" (small circular) "For * * * Tonsillitis, Sore Mouth, Sore Throat;" (large circular) "Prescribed by Dentists as a Home Treatment for Bleeding Gums, Pyorrhea and Trench Mouth. * * * Prevents Infection, A Prophylactic * * * Mouth and Tooth Wash * * * Pyorrhea * * * To prevent reinfection, rinse the mouth three times daily with Bafaline Lotion, preferably after brushing the teeth. * * * for the prevention of wound infections, such as blood poisoning * * * it sterilizes the mouth in $\frac{1}{4}$ of a minute. * * * Prevent contagious diseases, use 'Bafaline' daily as a mouth wash, gargle or spray. * * * During Epidemics Guard the Throat, gargle or spray daily with 'Bafaline Lotion.'"

On March 31, 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.*