

located and corrected, \* \* \* Tablets allay the pain and enable the patient to enjoy reasonable comfort during this process of elimination. \* \* \* In cases of long standing or in such cases as may necessitate the use of \* \* \* Subacute Rheumatic Tablets without treating the cause, it may be necessary to take the tablets over a longer period in order to avoid suffering. \* \* \* As the conditions improve the dose may be reduced."

On April 14, 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.*

**18193. Misbranding of Creo-Terpina Wampole. U. S. v. 9 Dozen Bottles of Creo-Terpina Wampole. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25955. I. S. No. 5759. S. No. 4210.)**

Examination of a drug product, known as Creo-Terpina Wampole, from the shipment herein described having shown that the circular contained 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 Porto Rico.

On or about March 6, 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 nine dozen bottles of Creo-Terpina Wampole, alleging that the article had been shipped on or about April 7, 1930, by Henry K. Wampole (Inc.), New York, N. Y., to San Juan, P. R., and that it was being offered for sale and sold in Porto Rico 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 essentially of water, sugar, alcohol (25 per cent), and small amounts of creosote, terpin hydrate, glycerin, calcium glycerophosphate, and sodium glycerophosphate.

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 in the circular, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "Bronchial and Pulmonary Conditions \* \* \* In Asthma, whooping cough and all coughs of a spasmodic nature and in acute catarrhal inflammation of the respiratory tract, influenza, hay fever, \* \* \* Creo-Terpina relieves spasm and pain, reduces fever, soothes the irritated mucous membrane and restores tone to the affected part. In phthisis, acute or chronic bronchitis, and the bronchial catarrh of the aged, this preparation checks the distressing cough and renders the secretions less tenacious. The Administration of Creo-Terpina in tubercular pleurisy is followed by gradual disappearance of the effusion, fever and other symptoms. \* \* \* by virtue of its stimulant and tonic properties due to the glycerophosphates, of calcium and sodium, which it contains, stimulates the appetite, increases the weight, strengthens the patient and restores his energy."

On April 11, 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.*

**18194. Misbranding of Tweed's Liniment. U. S. v. 17 Gallon Cans, et al., of Tweed's Liniment. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25816. I. S. No. 9745. S. No. 4033.)**

Examination of a drug product, known as Tweed's liniment, from the shipment herein described having shown that the label contained 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 January 26, 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 17 gallon-sized cans and 22 half-gallon-sized cans of Tweed's liniment, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Kopf Manufacturing Co., from New York, N. Y., on or about September 20, 1929, 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 an emulsion containing volatile oils, ammonia, chloroform, tar, alcohol, and water.

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 in the labeling, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Package). "For Veterinary Use \* \* \* Sore Throat, Windgalls, Spavin, Curb, Ringbone, Thrush, Thoroughpin, \* \* \* Swellings of any description, or any eruption of the skin. \* \* \* For Family Use: For Rheumatism, Neuralgia, Stiff or Swollen Joints, Headache, Toothache, Cuts, \* \* \* Lamé Back \* \* \* Soft Corns \* \* \* Contracted Cords, Lum-bago, Eruptions, \* \* \* Sore Throat. \* \* \* For Sore Throat or Diphtheria."

On April 16, 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.*

**18195. Adulteration and misbranding of nitroglycerin tablets, acetphenetidin tablets, and caffeine citrated tablets. U. S. v. Syracuse Pharmacal Co. (Inc.). Plea of guilty. Fine, \$150. (F. & D. No. 21562. I. S. Nos. 6228-x, 6229-x, 6230-x.)**

The drug tablets in the shipments herein described having been found to contain a smaller amount of nitroglycerin, acetphenetidin, or caffeine citrated, as the case might be, than declared on the label of the container, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of New York.

On February 18, 1929, the United States attorney filed in the District Court of the United States for the district aforesaid an information against the Syracuse Pharmacal Co. (Inc.), a corporation, Syracuse, N. Y., alleging shipment by said company, in violation of the food and drugs act, on or about February 24, 1926, from the State of New York into the State of Pennsylvania, of quantities of nitroglycerin tablets, acetphenetidin tablets, and caffeine citrated tablets which were adulterated and misbranded.

The articles were labeled in part, variously: "1000 Nitroglycerin 1/100 Gr. T. T. \* \* \* Manufactured by the Syracuse Pharmacal Co. \* \* \* Syracuse, N. Y.;" "300 Acetphenetidin 5 Grs. Manufactured by the Syracuse Pharmacal Co. Inc. \* \* \* Syracuse, N. Y.;" "300 Caffeine Citrated T T 1/2 Gr. \* \* \* Manufactured by the Syracuse Pharmacal Co. Inc. \* \* \* Syracuse, N. Y."

It was alleged in the information that the articles were adulterated in that their strength and purity fell below the professed standard and quality under which they were sold, as follows: The nitroglycerin tablets were represented to contain 1/100 grain each of nitroglycerin, whereas each of said tablets contained less than so represented, namely, not more than 0.0057 grain, i. e., approximately 1/175 grain of nitroglycerin. The acetphenetidin tablets were represented to contain 5 grains each of acetphenetidin, whereas each of said tablets contained less than so represented, namely, not more than 4.173 grains, i. e., approximately 4 1/8 grains of acetphenetidin. The caffeine citrated tablets were represented to contain 1/2 grain each of caffeine citrated, whereas each of said tablets contained less than so represented, namely, not more than 0.397 grain, i. e., approximately 3/8 of a grain of caffeine citrated.

Misbranding was alleged for the reason that the statements, "Nitroglycerin 1/100 Gr.," "Acetphenetidin 5 Grs.," and "Caffeine Citrated \* \* \* 1/2 Gr.," borne on the labels of the respective products, were false and misleading in that the said statements represented that each of said tablets contained the amount of nitroglycerin, acetphenetidin, or caffeine citrated, as the case might be, declared on the label, whereas each of said tablets did not contain the amount so declared but did contain a less amount.

On April 11, 1931, the plea of not guilty which had been entered on behalf of the defendant company on November 18, 1930, was withdrawn and a plea of guilty to the information was entered, and the court imposed a fine of \$150.

ARTHUR M. HYDE, *Secretary of Agriculture.*