

18198. Misbranding of Tablet as Magneticas. U. S. v. 34 Boxes of Tablet as Magneticas. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26024. I. S. No. 5750. S. No. 4238.)

Examination of a drug product, known as Tablet as Magneticas, from the lot herein described having shown that the carton label 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 Porto Rico.

On March 19, 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 34 boxes of Tablet as Magneticas, alleging that the article was in possession of the Central Sales Agency Co., Lares, P. R., and was being offered for sale and sold 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 acetanilid (1 grain per tablet), extracts of plant drugs including laxative drugs and aconite, and quinine sulphate (1.1 grain per tablet).

It was alleged in the libel that the article was misbranded in that certain statements appearing on the carton in Spanish, of which the following is a translation, 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: "For Catarrh, Influenza, Grippe, * * * Migraine, Cough, Remittent or Paludic Fevers. * * * For Catarrh, Influenza, Grippe. * * * Headache, Fevers, etc., etc. * * * These tablets constitute a remedy of positive results for the treatment of fevers, coughs and headache regularly associated with Grippe, Influenza, Catarrhs."

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.*

18199. Adulteration of ether. U. S. v. 56 Quarter-Pound Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25890. I. S. No. 20613. S. No. 4157.)

Samples of ether from the shipment 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 Southern District of Indiana.

On February 13, 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 56 quarter-pound cans of ether, remaining in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped by the Mallinckrodt Chemical Works, St. Louis, Mo., on or about May 31, 1930, and had been transported from the State of Missouri into the State of Indiana, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Ether For Anesthesia."

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 purity as determined by tests laid down in the said pharmacopoeia official at the time of investigation, and its own standard was not stated on the label.

On May 4, 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.*

18200. Misbranding of Seelye's laxative cold and headache tablets, Seelye's Wasa-Tusa, and aspirin tablets. U. S. v. 11 Bottles of Seelye's Laxative Cold and Headache Tablets, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 25926, 25927, 25928. I. S. Nos. 12227, 12228, 12229. S. Nos. 4153, 4154, 4155.)

Examination of the drug products herein described having shown that the labels contained statements representing that the articles possessed curative and therapeutic properties which they did not, the Secretary of Agriculture reported the matter to the United States attorney for the District of Idaho.

On March 17, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 11 bottles of Seelye's laxative cold and headache tablets, 35 bottles

of Seelye's Wasa Tusa, and 33 bottles of aspirin tablets, remaining in the original unbroken packages at Boise, Idaho, alleging that the articles had been shipped by the A. B. Seelye Medicine Co., from Abilene, Kans., on or about January 16, 1931, and had been transported from the State of Kansas into the State of Idaho, and charging misbranding in violation of the food and drugs act as amended.

The articles were labeled in part: (Laxative cold and headache tablets, carton) "Are excellent for LaGrippe * * * etc. * * * Valuable for * * * LaGrippe * * * Coughs, etc.;" (Wasa-Tusa, carton and bottle) "Rheumatic Pains, Sore Muscles, Lame Back, * * * Headache, * * * Toothache, Earache, Sore Throat, La Grippe, Colic, Cramps, Diarrhoea, Cholera Morbus and Inflammation, Colic in Horses, Bloating and Diarrhoea in Cattle, Cholera and Diarrhoea in Poultry;" (aspirin tablets) "Is recommended for the treatment of * * * Neuralgia * * * Grippe, Influenza, Rheumatism, Sciatica, Lumbago, Gout, Neuritis, etc."

Analyses of samples of the articles by this department showed that the laxative cold and headache tablets contained acetanilid and extracts of plant drugs including aloe, cinchona, and capsicum; that Seelye's Wasa-Tusa consisted essentially of alcohol, volatile oils including sassafras oil, ammonia, and small proportions of chloroform, ether, and extracts of plant drugs including capsicum; and that the aspirin tablets consisted essentially of acetylsalicylic acid.

It was alleged in the labels that the articles were misbranded in that the above-quoted statements regarding the curative or therapeutic effects of the said articles were false and fraudulent, since the articles contained no ingredients or combinations of ingredients capable of producing the effects claimed.

On April 6, 1931, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*