

per cent), tartaric acid (28 per cent), monosodium phosphate (10 per cent), lithium citrate (.03 per cent), and sodium chloride.

It was alleged in the libel that the article was misbranded in that the following statements appearing upon the carton and bottle labels, 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 and bottle labels, translated from Spanish) "A. D. S. Sales Hepaticas * * * a powerful dissolvent of uric acid. Especially indicated against Rheumatism and Gout. * * * Is a preparation that tonifies * * * for the treatment of Uric Acid Diathesis, Rheumatism, Gout and Declared Lithaemia. Its use is very indicated in all these affections, as it generally produces prompt alleviation."

On September 9, 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.*

18746. Adulteration and misbranding of Dr. Welters tooth powder. U. S. v. 3 Dozen Packages, et al., of Dr. Welters Tooth Powder. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 26844, 26845. I. S. Nos. 35806, 35810. S. Nos. 5022, 5023.)

The labeling of Dr. Welters tooth powder contained statements representing that the article possessed curative and therapeutic properties which examination showed it did not possess; the article was further represented to be antiseptic, whereas it was not.

On August 10, 1931, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 10 dozen packages of Doctor Welters tooth powder, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the E. A. Welters Tooth Powder Co., from Jacksonville, Fla., in part on or about May 13, 1931, and in part on or about June 13, 1931, and had been transported from the State of Florida into the State of Louisiana, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of Doctor Welters tooth powder by this department showed that it consisted essentially of calcium carbonate, soap, and small proportions of alum and peppermint oil. Bacteriological examination showed that the article was not antiseptic.

Adulteration of the article was alleged in the libels for the reason that its strength fell below the professed standard of "Antiseptic," under which it was sold.

Misbranding was alleged for the reason that the following statements appearing in the labeling, were false and misleading: (Carton) "Antiseptic Tooth Powder * * * This preparation is not adulterated or misbranded within the meaning of the Pure Food and Drugs Act, June 30, 1906;" (circular) "Antiseptic Tooth Powder." Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article, appearing on the can and carton labels and in the circular, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claims: (Can) "Toughens Tender Gums, Helps Prevent Decay * * * to help toughen tender, bleeding gums, * * * and prevent decay;" (carton) "For Toughening Tender Bleeding Gums, Preventing Pyorrhoea;" (circular) "Bleeding Gums. Danger Signal of Pyorrhoea! Thousands have 'Pyorrhoea' And Don't Know it! Read the contents of this leaflet and 'judge' if you are a victim of the dreaded disease 'Pyorrhoea.' Dr. Welter's Antiseptic Tooth Powder Heals and Hardens Bleeding Gums. This Dentifrice is universally recognized as the most Efficacious Preparation known to dental science for Healing and Hardening Tender and Bleeding Gums. It is Unexcelled for * * * Preventing Pyorrhoea. * * * The first symptoms or signs of pyorrhoea are 'bleeding' and 'irritated' gums, which should be corrected immediately by consulting a dentist and using Dr. Welter's Antiseptic Tooth Powder, which is specially prepared for Healing and Hardening Bleeding Gums. * * * The enamel is to the teeth what the outer layer of skin is to the body, and when impaired, the 'micro-organism' which is commonly known as the 'Tooth germ' enters the tooth, and from this

point decay begins. Dr. Welter's Antiseptic Tooth Powder * * * Prevents Decay. * * * The 'Cause of Decay in Teeth' and How to Prevent it. * * * By removing the constant germ formation from the teeth by the use of 'Dr. Welters' Antiseptic Tooth Powder,' applied with a good tooth brush, morning noon and before retiring. * * * Do not wait until you are infected with 'Pyorrhea' before using a preventative. Start using Dr. Welters' Antiseptic Tooth Powder or Paste immediately as a 'Preventative' against the infection of this disease. It is prepared specially for Preventing Pyorrhea, Healing and Hardening Bleeding Gums, Whitening and Cleansing the teeth."

On September 10, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18747. Misbranding of Brown's bronchial troches. U. S. v. 54 7-12 Dozen Packages, et al., of Brown's Bronchial Troches. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26851. I. S. No. 34126. S. No. 5032.)

Examination of a drug product, known as Brown's bronchial troches, from the shipment herein described having shown that the carton and wrapper labels and the accompanying circular bore statements representing that the article possessed curative and therapeutic properties which, in fact, it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of New York.

On August 10, 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 54½ dozen 35-cent and 32⅔ dozen 15-cent packages of Brown's bronchial troches, remaining in the original packages at Brooklyn, N. Y., alleging that the article had been shipped by John I. Brown & Son, Boston, Mass., on or about February 28, 1931, and had been transported from the State of Massachusetts into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of Brown's bronchial troches by this department showed that it consisted essentially of extracts of licorice and cubeb, sugar, starch, and a gum, such as acacia.

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: (Carton) "Bronchial * * * for the alleviation of Bronchitis, Hoarseness, Coughs, Asthma, * * * Catarrh * * * strengthening the voice. * * * For the Cough of Bronchitis, Asthma, &c.;" (wrapper) "Bronchial * * * for the alleviation of Bronchitis, Hoarseness, Coughs, Asthma, * * * Catarrh * * * For the Cough of Bronchitis, Asthma, &c.;" (circular) "Relieving throat troubles. Allay irritation of the throat induced by the coughing-spells incident to Bronchitis, Asthma, and affections of the lungs, giving grateful relief;" (circular, in French) "Bronchitis, Cough, Whooping Cough, Hoarseness, Asthma, * * * Catarrh, Grippe and other affections of the throat and lungs. * * * diseases of the throat and lungs;" (circular, in Spanish) "All kinds of Coughs, inflammations of the Throat, diseases of the bronchi of the lungs." (Similar statements in other foreign languages.)

On September 22, 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.*

18748. Misbranding of Alphozone. U. S. v. 11 Bottles of Alphozone. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26869. I. S. No. 5793. S. No. 4963.)

Examination of a drug product, known as Alphozone, showed that the circular contained statements representing that the article possessed curative and therapeutic properties which, in fact, it did not possess.

On August 19, 1931, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 11 bottles of Alphozone, alleging that the article had been