

19073. Adulteration and misbranding of fluidextract of ergot. U. S. v. 9½ Gallons of Fluidextract of Ergot. Default decree of destruction. (F. & D. No. 26917. I. S. No. 25585. S. No. 5112.)

Examination of the fluidextract of ergot from the shipment herein described having shown that the article was represented to be a pharmacopoeial product, whereas its potency was less than one-half that required by the pharmacopoeia, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Missouri.

On or about August 28, 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 9½ gallons of fluidextract of ergot at Kansas City, Mo., alleging that the article had been shipped by C. E. Jamieson & Co., from Detroit, Mich., on or about April 10, 1931, and had been transported from the State of Michigan into the State of Missouri, and charging adulteration and misbranding in violation of the food and drugs act.

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 as determined by the test laid down in the said pharmacopoeia, and its own standard of strength was not stated on the container.

Misbranding was alleged for the reason that the statements on the label, "Fluid Extract * * * Ergot U. S. P. X. Claviceps Purpurea (Fries) Tulasne Physiologically tested," were false and misleading.

On December 14, 1931, no claimant having appeared for the property, a decree was entered adjudging the product adulterated and misbranded, and ordering that it be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19074. Misbranding of Can-U-Til-Lo herb. U. S. v. 2½ Dozen Packages of Can-U-Til-Lo Herb. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27030. I. S. No. 37911. S. No. 5200.)

Examination of samples of a drug product, known as Can-U-Til-Lo herb, from the shipment herein described having shown that the carton labels and an accompanying circular contained statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Pennsylvania.

On October 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 2½ dozen packages of the said Can-U-Til-Lo herb, remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped by the Can-U-Til-Lo Co., from Camden, N. J., on or about September 10, 1931, and had been transported from the State of New Jersey into the State of Pennsylvania, 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 coarsely cut *Ephedra antisyphilitica*.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, 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) "For obstinate cases drink an increased quantity of the Tea daily. * * * itself being a natural stimulant and invigorator. * * * Rheumatism results usually from weakened or diseased kidneys, the natural functions being impaired. * * * strengthens and stimulates the kidneys to normal activity. Uric acid and other impurities are thus eliminated from the blood. * * * properly used has relieved many cases of Rheumatism and Dropsy by correcting Kidney and Urinary ailments. * * * (circular) "Remedy for Rheumatism and Kindred Diseases Resulting from Weak and Diseased Kidneys such as Dropsy and all Blood Disorders * * * How Long Have You Had Rheumatism Are you the one who says, 'Oh, I've tried everything?' If you are, it is reasonable to conclude that you've had Rheumatism for years—perhaps. These long months or years of suffering have forced you to the conclusion that Rheumatism is incurable. Well you are not the only one to reach such a conclusion. Your first inquiry should

be as to the cause of Rheumatism. The majority of those who are supposed to know—the Physicians—say, too much Uric Acid in the Blood is the cause * * * is but one Simple Herb. It is a * * * Blood Purifier, it assists digestion and tends to cure constipation. In short, it is a Natural Invigorator and Rejuvenator, and can be used continuously without losing its beneficial effect. * * * The Indians, who were the original discoverers * * * used it for Skin Diseases, Rheumatism, and all Kidney, Bladder and Urinary Complaints. The Army Officer who sent the Herb to Washington, said of it: 'I found it a great Kidney medicine, as it will cause the Kidneys to throw off Uric Acid and in cleansing the blood of that poison, it reaches Rheumatism. * * * recommended it for its tonic properties as well as for the cure of blood disorders * * * Its use tends to prolong life by eliminating calcereous material, thus keeping the walls of the veins and arteries free from such deposits besides preventing the formation of gravel, which it removes. * * * should be regarded rather as a Food than as a Medicine. * * *

The length of time you need to take the tea depends upon how much your organism is predisposed to produce Uric Acid, and how feeble your Kidneys have become. * * * [Testimonials] Eczema * * * 'For one year I had been afflicted with a peculiar form of eczema all over my body. At times I suffered excruciatingly from it. I tried various medicines, lotions, etc., but nothing appeared to help me until I began taking your Tea. I had only taken a few doses when I began to notice its effects, and when I had used two packages I was entirely cured. * * *

Muscular Rheumatism ' * * * This is to certify that for years I have suffered with Rheumatism. After trying a number of treatments known to the medical profession I was informed my case could not be cured. * * * After taking six (6) packages I can say that the Rheumatism has entirely disappeared. * * *

Dropsy ' * * * I had the dropsy * * * that two physicians said I could not live a week. I began taking Canutillo Herb Tea about 10 o'clock a. m.— * * * Got up at 5 o'clock the next morning, and found my waist measurement reduced 8½ inches. * * * I owe my life to it. * * *

Weak Kidneys ' * * * The boy, as I was told by several physicians, had a weak bladder. Up to the time I started to use Canutillo for them I found no results. Yours did the work after using only four (4) packages. My boy is now not half as nervous and has full control of his bladder. * * *

Blood Disease 'I cheerfully recommend your Canutillo Herb to those afflicted with any of the diseases arising from a bad condition of the blood, particularly the various kidney and rheumatic complaints. I speak from personal knowledge. I was troubled with sciatica rheumatism for some years, together with disordered kidneys, and a liberal use of the Tea, which, brewed in an earthen tea pot, cleared my system of both diseases. About a year after the disappearance of sciatica, I had an attack of acute rheumatism (another form of the disease) in my left shoulder and arm. I have taken about a quarter of a package and that trouble is disappearing. I can distinctly note its favorable action upon the kidneys in all stages of its use. I have recommended it to acquaintances who also have reported themselves greatly benefited or cured. * * *

Rheumatism 'In answer of your letter of November 30, concerning Canutillo, I would say—after suffering with rheumatism in the knees for eight or nine years, part of the time having to use a cane, and taking all kinds of prescriptions from a regular physician and using several patent medicines without any improvement or benefit from same—I was induced to try Canutillo. I started with two packages, and before they had been used up I noticed a great change in my condition. After about seven months' constant use I became entirely cured, and since then, two years last May, I have been entirely free from the trouble in any part of my anatomy. This being the case I, of course, can recommend the cure to anyone suffering from stiff or swollen joints. * * *

Rheumatism ' * * * I feel such good results from its use that I have decided to order one dozen packages so that I can have it on hand. I find it all you claim, and will recommend it to all I know who are troubled with rheumatism. * * *

Gravel ' * * * began taking your herb, and the pains gradually lessened. I continued taking Canutillo, and before I had finished the second package I passed the gravel. * * *

Kidney Disease 'All that you have been told you may consider as true facts. My case was pronounced hopeless and a limited time given me to live. But thanks to

Canutillo I have been able to live and outlive that time with a very bright future ahead. I was supposed to be in the last stages of Bright's kidney disease. My limbs were swollen three times their natural size and I also had water in my abdomen, and a small quantity in my chest, which was last gradually increasing until in time the treatment I was undergoing would have resulted in death. I took in all about four boxes of the Herb. I noticed a change of condition after taking the second box. I think the Herb is a great thing and every one should give it a trial. * * * 'Chronic Rheumatism 'How can I thank you enough? I am recommending Canutillo to my numerous friends and acquaintances who are suffering as I did from chronic rheumatism, and I am hearing from one and all the same testimony. Although 67 years of age, I feel like one just beginning to live; elasticity of mind and body has returned; I feel again the buoyancy of youth. * * * 'Rheumatism 'Having been afflicted with rheumatism for twenty years and being laid up regularly twice a year for ten days to two weeks, I was asked to try your remedy. I began taking the Tea in February of 1906, and am happy to say that I have not had an attack to this day. Do you wonder that I tell all my friends about it who suffer as I did? I would not be without it. You can use my name as much as you like and can refer anyone to me at my studio at any time and I will be glad to tell what it has done for me and my friends.'"

On November 2, 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.*

19075. Misbranding of Dunbar's system tonic. U. S. v. 16 Boxes of Dunbar's System Tonic. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27301. I. S. No. 38932. S. No. 5394.)

Examination of a drug product, known as Dunbar's system tonic, from the shipment herein described having shown that the labeling bore statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Massachusetts.

On November 30, 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 16 boxes of Dunbar's system tonic, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Lee Specialty Co., from Detroit, Mich., on or about May 27, 1931, and had been transported from the State of Michigan into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended.

Examination of a sample of the article by this department showed that it consisted of pills containing, essentially, extracts of plant drugs including a laxative drug and ferrous sulphate (23 milligrams per pill).

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the article, appearing on the box and wrapper labels and in the accompanying circular, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Box) "System Tonic * * * For Rheumatism, Blood, Liver & Kidneys;" (wrapper) "System Tonic * * * Blood Builder * * * System Tonic Co.;" (circular) "System Tonic * * * Rheumatism, Blood, Liver and Kidneys A Tonic Eliminant * * * for * * * Cleansing the System of Various Impurities which are formed or accumulated in Biliousness, Rheumatism, Catarrh, Pimples, Boils and other Diseases where elimination of poisons does not keep pace with their formation. * * * System Tonic enriches the blood. * * * Recommended as an Anti-bilious Treatment To be used to stimulate and give tone to the digestive organs, promote digestion and thorough assimilation of the food. * * * By correcting constipation it will afford relief to overburdened kidneys * * * It has a tonic action on the blood, stomach and intestines, increasing their general tone, and improving digestion, assimilation * * * thereby improving * * * general condition. Directions * * * Continue the use of the smallest dose until * * * the system is apparently well cleansed of poisonous substances. * * * [Testimonials]