district court of the United States an information against the Mellier Drug Co., a corporation, St. Louis, Mo., alleging shipment by said company in violation of the Food and Drugs Act on or about February 6, 1931, from the State of Missouri into the State of California, of a quantity of tongaline and lithia tablets that were adulterated. The article was labeled in part: "Tongaline and Lithia Tablets * * * Mellier Drug Company * * * St. Louis * * * Each tablet contains 2 grains Sodium Salicylate."

It was alleged in the information that the article was adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, in that each of the tablets was represented to contain 2 grains of sodium salicylate, whereas they contained not more than 1.706 grains of sodium salicylate.

On March 29, 1933, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $50.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20891. Misbranding of Granger Vegetable Teatonic. U. S. v. The DeVore Manufacturing Co. Plea of guilty. Fine, $5. (F. & D. no. 28143. I. S. no. 37365.)

Examination of the drug preparation, Granger Vegetable Teatonic, disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the carton and bottle labels and in a circular shipped with the article.

On September 10, 1932, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court of the United States an information against the DeVore Manufacturing Co., a corporation, Columbus, Ohio, alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about July 23, 1931, from the State of Ohio into the State of Indiana, of a quantity of Granger Vegetable Teatonic that was misbranded.

Analysis of a sample of the article by this Department showed that it consisted essentially of plant drugs including laxative drugs, a bitter drug and licorice, small proportions of iron and ammonium compounds, glycerin, and water.

It was alleged in the information that the article was misbranded in that certain statements, designs, and devices regarding the therapeutic and curative effects of the article, appearing on the bottle and carton labels, falsely and fraudulently represented that it was effective as a system cleanser and tonic for stomach, liver, and kidneys; effective as an aid to nature in overcoming rheumatism, liver, kidney, and stomach trouble, and in rebuilding weak, overworked, and run-down systems; effective as a treatment, remedy, and cure for kindred ills; and effective to tone up the system; and for the further reason that certain statements, designs, and devices regarding the curative and therapeutic effects of the article, borne in the circular shipped with the article, falsely and fraudulently represented that it was effective as a grand system treatment; and effective as a depurative, as a resolvent, as a hepatic, and as a stimulant.

On May 4, 1933, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $5.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20892. Adulteration and misbranding of Nuran tablets. U. S. v. 114 Packages of Nuran Tablets. Default decree of condemnation, forfeiture and destruction. (F. & D. no. 29801. Sample no. 4763–A.)

Examination of the drug preparation Nuran tablets disclosed that the article contained no ingredients or combination of ingredients capable of producing certain curative and therapeutic effects claimed; also that it contained drugs that might affect or depress the heart, contrary to the claims in the labeling. Analysis showed that the article contained less acetphenetidin than declared.

On February 7, 1933, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court of the United States a libel praying seizure and condemnation of 114 packages of Nuran tablets at Chicago, Ill., alleging that the article had been shipped in interstate commerce, September 23, 1932, by the LaSalle Laboratories, from Detroit, Mich., and charging adulteration and 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 tablets containing in each: Acetphenetidin, 1.8 grains; acetylsalicylic acid, 3.7 grains; and caffeine, 0.25 grain.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard or quality under which it was sold, namely, (container) "Contains Acetphenetidin * * * 2 Grains per Tablet."

Misbranding was alleged for the reason that the statements on the container, "Contains Acetphenetidin * * * 2 grains per tablet. * * * Does not affect the heart"; and (leaflet) "Does not depress the heart", were false and misleading. Misbranding was alleged for the further reason that the label failed to bear a correct statement of the quantity or proportion of acetphenetidin, an acetanilid derivative, contained in the article, and for the further reason that the following statements, regarding its curative and therapeutic effects, were false and fraudulent: (Container) "Nuran * * * used with conspicuous success in * * * Toothache, * * * Neuritis, Tonsilitis, Sore Throat, Menstrual Pains, * * * Rheumatism, Influenza"; (leaflet) "Nuran * * * safer * * * more effective for Pain * * * etc."

On April 4, 1933, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20893. Misbranding of Frye's Hydrocarboline spray solution. U. S. v. 31 Bottles of Frye's Hydrocarboline Spray Solution. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29983. Sample no. 34584–A.)

Examination of the drug preparation, Frye's Hydrocarboline spray solution, disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On March 24, 1933, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court of the United States a libel praying seizure and condemnation of 31 bottles of Frye's Hydrocarboline spray solution at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about January 31, 1933, by the Geo. C. Frye Co., from Portland, Maine, to Boston, Mass., 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 liquid petrolatum containing 1.5 percent of volatile oils including menthol, thymol, eucalyptol, and methyl salicylate.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects, appearing on the bottle label and in an accompanying circular, were false and fraudulent: (Circular) "Aseptic * * * For Throat and Nose. * * * Unlike Atomizers which throw only coarse, heavy streams that are liable to do injury to an inflamed membrane, * * * The fineness of its vapor causes it to penetrate every portion of the respiratory tract. * * * a perfect vapor of antiseptic spray held in contact with inflamed surfaces of the middle ear and eustachian tubes, resulting in much benefit when defective hearing or humming in the ears is caused by acute inflammation or chronic catarrh. By a similar manipulation of the Hydrocarboline Nebulizer, the medicated vapor can be forced into the tubes and air cells of the lungs, giving a local application to the inflamed mucous membranes of bronchial tubes and recesses of lungs, which renders it invaluable in the treatment of Bronchial Catarrh, Acute Bronchitis, Pneumonia or Tuberculosis"; (bottle) "A Valuable Spray for the Treatment of Throat and Nasal Affections * * * Especially prepared for use in our Aseptic Hydrocarboline Nebulizer."

On April 20, 1933, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20894. Misbranding of Tan-A-Wa tonic and Tan-A-Wa Nervine. U. S. v. 50 Bottles of Tan-A-Wa (Tonic) and 18 Bottles of Tan-A-Wa Nervine. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 29773, 29774. Sample nos. 30051–A, 30052–A.)

Examination of the drug preparations involved in these cases disclosed that the articles contained no ingredients or combinations of ingredients capable of producing certain curative and therapeutic effects claimed in the labelings.