

falsely and fraudulently represented that the article was effective as a treatment, remedy, and cure for dizziness, indigestion, skin eruptions, and female complaints; for the further reason that certain statements in English and Polish contained in circulars accompanying a portion of the article falsely and fraudulently represented that it was effective as a valuable system purifier; effective to promote a regular action of the stomach, liver, and kidneys; effective as a reliable treatment for that run down and tired feeling and where organs fail to function and cause various sicknesses; effective as a treatment, remedy, and cure for disorders of the stomach, liver, kidneys, and bladder, loss of appetite, dizziness, coughs, indigestion, pale complexion, and sleeplessness; effective as a valuable treatment for weakness, pain in the limbs, rheumatism, gout, impure blood, skin diseases and female complaints, chills, coughs, hoarseness, influenza, phlegm and headache; effective as a blood purifier and liver regulator; effective as a remedy for kidney trouble, skin diseases, boils and pimples; effective to restore a clear and healthy complexion to the skin; effective as a remedy for female complaints, imperfect or irregular menstruation; effective as a blood cleanser and regulator of stomach, liver and kidneys; effective as a remedy for lung troubles, stomach troubles, kidney and liver troubles, weakness, cold in joints, unhealthy blood, skin diseases, painful urination and stoppage of perspiration, fever, rheumatism, sore throat, skin eruptions, boils, toothache, earache, swelling of the joints, and cold in kidneys; and for the further reason that certain statements, in English and Polish, contained in circulars accompanying the remainder falsely and fraudulently represented that the article was effective as a valuable system purifier; effective to promote the regular action of the stomach; effective as a treatment for that rundown and tired feeling; effective to promote the regular functioning of the organs, the movement of the bowels, and the free passing of urine; effective to cause natural perspiration; effective to avoid various sicknesses by aiding the internal organs to perform their functions; effective as a treatment, remedy, and cure for chills; effective as a stomach regulator; effective as a treatment, remedy, and cure for constipation, organic difficulties, painful urination, stoppage of perspiration, fever, rheumatism, sore throat, cough, skin eruptions, boils, toothache, earache, headache, neuralgia, swelling of the joints, indigestion and stomach disorders; and effective as a treatment for unclean internal passages.

On September 26, 1933, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

M. L. WILSON, *Acting Secretary of Agriculture.*

21531. Misbranding of Acme Medicated Stock Salt. U. S. v. Fifty 200-Pound Bags, et al., of Acme Medicated Stock Salt. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30956. I. S. no. 17579. S. no. 8386.)

This case involved a drug product labeled to convey the impression that it consisted entirely of drugs, that it was iodized and yeastolized, and that it contained, among other listed ingredients, potassium iodide and yeast. Samples, when analyzed, were found to consist principally of common salt, no yeast nor potassium iodide being found.

On August 18, 1933, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of fifty 200-pound bags, fifty 50-pound bags, fifty 25-pound bags, and fifty 15-pound bags of Acme Medicated Stock Salt at Nara Visa, N.Mex., alleging that the article had been shipped in interstate commerce, on or about November 14, 1931, by the Acme Stock Salt Co., from Tiffin, Ohio, and charging misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by this Department showed that it consisted essentially of sodium chloride (97 percent), calcium carbonate (1 percent), and small proportions of sodium bicarbonate, sulphur, copperas, and nuxvomica. Potassium iodide and yeast were not present.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, (bag) "Its Iodized and Yeastolized", and (tag) "Potassium Iodide, Epsom Salts, Quassia, Nux Vomica One Half Percent, Bicarbonate of Soda, Sodium Chloride Seventy-two percent and Sulphur Two Percent, * * * Contains Drugs One Hundred Percent", were false and misleading, since the product was not iodized nor yeastolized, and did not have the composition stated on the tag.

On September 25, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*

21532. Misbranding of French's White Pine and Cherry Compound Cough Syrup. U. S. v. 70 Bottles of French's White Pine and Cherry Compound Cough Syrup. Default decree of condemnation and destruction. (F. & D. no. 30773. Sample no. 42174-A.)

Examination of the drug preparation involved in this case disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. The article was labeled to convey the impression that it was composed of roots, barks, and herbs, whereas an inorganic drug, ammonium chloride, was an important ingredient.

On or about August 8, 1933, the United States attorney for the District of Montana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 70 bottles of French's White Pine and Cherry Compound Cough Syrup at Miles City, Mont., alleging that the article had been shipped in interstate commerce, on or about March 15, 1932, by the Atlantic Sales Corporation, from Rochester, N.Y., 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 extracts of plant drugs including wild cherry and ipecac, ammonium chloride, menthol, alcohol, sugar, and water.

It was alleged in the libel that the article was misbranded in that the statements in the labeling, "French's White Pine and Cherry Compound Cough Syrup * * * A cough Syrup made from roots, barks and herbs * * * is prepared from barks and other vegetable drugs", were misleading in view of the actual composition of the product, which included ammonium chloride as an ingredient. Misbranding was alleged for the further reason that the following statements on the cartons and bottles, regarding the curative and therapeutic effects of the article, were false and fraudulent: (Carton) "Recommended for Coughs, Hoarseness * * * Bronchial colds, Bronchitis, and Inflammation of the air passages * * * for coughs, hoarseness"; (bottle) "For Coughs, Bronchial Colds, Bronchitis, Croup and Hoarseness * * * Dose for Grown Persons * * * in severe cases * * * In Croup * * * in severe cases."

On September 25, 1933, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21533. Misbranding of Rogers' Headache Soda. U. S. v. 120 Packages of Rogers' Headache Soda. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30955. Sample no. 49469-A.)

This case involved a drug product labeled to convey the impression that soda was the important therapeutic agent. Analysis showed that the article contained acetanilid and caffeine, to which could be ascribed its therapeutic action. The label of the article bore an incorrect declaration of the acetanilid, also unwarranted curative and therapeutic claims.

On August 19, 1933, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 120 packages of Rogers' Headache Soda at St. Louis, Mo., alleging that the article had been shipped in interstate commerce, on or about May 23, 1933, by the Rogers Drug Co., from Memphis, Tenn., 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 (226 grains per ounce, 3.3 grains per average powder), caffeine, and sodium bicarbonate.

It was alleged in the libel that the article was misbranded in that the name of the article, "Headache Soda", was false and misleading, since soda did not represent the active ingredient upon which its physiological effect would depend. Misbranding was alleged for the further reason that the package failed to bear a statement on the label of the quantity or proportion of acetanilid contained in the article, since the declaration on the carton and on the envelop was incorrect. Misbranding was alleged for the further reason that