

one tablespoonful Vitalitea in pot containing two cups boiling water, steep until it is cool enough to drink. Pour thru strainer. Note:—(This amount can be steeped four times and the fourth steeping equally as beneficial as the first). * * * No worries about fat, indigestion gas, * * * When you drink Vitalitea, common sense dieting assists materially in obtaining desired results. Vitalitea having diuretic and laxative qualities. Promotes elimination thru proper channels * * * Vitalitea Company"; (circular) "Vitalitea Reduce Safely While You Eat * * * Vitalitea The value of Vitalitea as a weight balancing agent does not depend upon any arbitrary diet rules or charts. You may eat any sensible food and follow your natural eating habits, but do not eat three substantial meals in a row. If you had a light lunch you may have a heavier dinner or vice-versa. If you are eating roast pork, for instance, eat sparingly of potatoes, beans, gravy, bread and butter, or sweet dessert. Vitalitea is a normalizer, a balancer of weight, a natural method of eliminating excess fat. But, the more of fat producing foods you eat the harder it is for Vitalitea to help you reduce, and the longer it will take to reach the desired weight. * * * To help you in a sensible way, without loss of health or vitality, or drastic changes in your eating habits, we recommend the following method of using and choosing your food * * * Keep Your Health With Vitalitea No longer need you starve yourself sick or endanger your health with harmful reducing drugs or worry about every morsel of food you take. Vitalitea, the scientifically blended, health-building herb beverage helps you reduce safely while you eat. Vitalitea Balances your weight, eliminates surplus fat and does it in a safe, sensible, Natural Way. Vitalitea stimulates your muscles and glands. It is a splendid tonic * * * and regulator. It contains all the necessary food elements to maintain health and vitality. It is recommended as a safe-guard against insomnia, as an aid in the cure of stomach and kidney trouble, and as a stimulant without any reaction. Drink Vitalitea! * * * Drink before, after, or with your meals, and reduce Safely while you eat. The Vitalitea Company."

On October 16, 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.*

21779. Misbranding of acetphenetidin. U. S. v. Nine 1-Pound Cartons and Nineteen 4-Ounce Cartons of Acetphenetidin. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30779. Sample nos. 37528-A, 37529-A.)

This case involved interstate shipments of acetphenetidin, the packages of which were not labeled to show that the article was a derivative of acetanilid.

On or about July 29, 1933, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of nine 1-pound cartons and nineteen 4-ounce cartons of acetphenetidin at Baltimore, Md., alleging that the article had been shipped in interstate commerce in part on or about July 11, 1933, and in part on or about July 19, 1933, by the Monsanto Chemical Works, from New York, N.Y., and charging misbranding in violation of the Food and Drugs Act.

It was alleged in the libel that the article was misbranded in that the package failed to bear a statement on the label that the article was a derivative of acetanilid.

On December 8, 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.*

21780. Misbranding of Bron-Co Capsules. U. S. v. Pacific Laboratories, Inc. Plea of nolo contendere to first count, and guilty to second count. Fine, \$50. (E. & D. no. 30236. Sample no. 1803-A.)

Examination of the drug product, Bron-Co Capsules, disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. Analysis showed that the article contained acetanilid, which was not declared on the label as required by law.

On September 30, 1933, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the

district court an information in two counts against the Pacific Laboratories, Inc., a corporation, trading at Los Angeles, Calif., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about August 29, 1931, from the State of California into the State of Washington, of a quantity of Bron-Co Capsules that were misbranded.

Analysis of a sample of the article by this Department showed that it consisted of capsules containing sodium and ammonium chloride and sulphate, a phenolic compound, and acetanilid (0.042 gram per capsule).

It was alleged in the first count of 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 label of the box containing the article and in an accompanying circular, falsely and fraudulently represented that it was effective relief for difficult breathing; effective as a treatment, remedy, and cure for bronchial and throat disorders in poultry, bronchitis or bronchopneumonia, pulmonary catarrh, cough, rattling in the throat, and difficulty and uneasiness of breathing; effective as a treatment, remedy, and cure, for four different kinds of bronchitis, the acute, the chronic, the fetid, and the fibrinous; and effective as a treatment, remedy, and cure for throat and trachea disorders. Misbranding was alleged in the second count for the further reason that the article contained acetanilid and the label on the package failed to bear a statement of the quantity or proportion of acetanilid contained in the article.

On November 20, 1933, a plea of nolo contendere was entered to the first count of the information, a plea of guilty was entered to the second count, and the court imposed a fine of \$50.

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

21781. Adulteration and misbranding of Phenlin Oris. U. S. v. John H. Wood Co. Plea of guilty. Fine, \$75. (F. & D. no. 30299. Sample no. 9347-A.)

This case was based on an interstate shipment of a drug preparation known as Phenlin Oris, the label of which bore unwarranted claims as to its effectiveness as an antiseptic and germicide and as a preventive against infection.

On November 24, 1933, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the John H. Wood Co., a corporation, Philadelphia, Pa., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about January 15, 1932, from the State of Pennsylvania into the State of Massachusetts, of a quantity of Phenlin Oris that was adulterated and misbranded.

Analysis of a sample of the article by this Department showed that it consisted essentially of an ointment with a petrolatum and paraffin base containing small proportions of cresylic acid and water. Bacteriological tests showed that the article was not antiseptic.

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, since it was represented to be an antiseptic for all cracked or roughened conditions of the lips, and a germicide for all germ culture upon the mucous membrane or skin, whereas it was not an antiseptic or germicide as so represented.

Misbranding was alleged for the reason that the statements on the label of the jar containing the article, "Antiseptic for all cracked or roughened conditions of the lips. * * * Rubbed upon mucous membrane or skin it destroys all germ culture", were false and misleading, since the article was not antiseptic for all cracked or roughened conditions of the lips and would not destroy all germ culture upon the mucous membrane or skin. Misbranding was alleged for the further reason that certain statements, designs, and devices regarding the therapeutic and curative effects of the article, appearing on the label, falsely and fraudulently represented that it was effective as a preventive against infection, whereas the article contained no ingredients or medicinal agents effective as a preventive against infection.

On December 11, 1933, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$75.

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