

products of this character in the dosage recommended are not adequate sources of all the vitamins and minerals. Misbranding was alleged for the further reason that the following statements on the package, regarding the curative or therapeutic effects of the article, were false and fraudulent: "Indicated for certain deficiency diseases and glandular disturbances. \* \* \* employed for the treatment of some forms of nervousness, simple anaemia and digestive disorders. \* \* \* Directions Adult dosage: 2 to 3 tablets three times daily at meal time. Tablets may be chewed and swallowed with water or may be crushed and mixed in orange or tomato juice. For Children: Smaller quantities according to age."

On March 8, 1934, 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.*

**22339. Misbranding of witch hazel. U. S. v. 213 Bottles of Witch Hazel. Default decree of forfeiture and destruction. (F. & D. no. 32036. Sample no. 58248-A.)**

This case involved an interstate shipment of witch hazel water, the labels of which bore unwarranted curative and therapeutic claims.

On February 26, 1934, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 213 bottles of witch hazel at Boston, Mass., alleging that the article had been shipped in interstate commerce, on or about August 29, 1933, by the Hygienic Pharmacal Laboratories, "for Gilchrist Company" from New Haven, Conn., and charging misbranding in violation of the Food and Drugs Act as amended.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding its curative and therapeutic effects, were false and fraudulent: "For the relief of \* \* \* wounds, painful swellings, lame back, piles, sore throat, \* \* \* rheumatism, \* \* \* etc. etc. Directions: For all external inflammation bathe freely with the Extract and if convenient apply a cloth wet with the Extract and keep it moist until relieved. For open Wounds, Ulcers, Old Sores, Sore Nipples, Sore Eyes & dilute one half with pure water and use in the same way."

On March 26, 1934, no claimant having appeared for the property, judgment of 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.*

**22340. Misbranding of Acme Stock Tone. U. S. v. Twenty-two 3-Pound Packages of Acme Stock Tone. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30542. Sample no. 36823-A.)**

This case involved a drug preparation, the labels of which bore unwarranted curative and therapeutic claims. It was also claimed for the article that it was effective to increase milk production in cows, growth in hogs, etc., whereas it was valueless for such purposes.

On June 1, 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 22 packages of Acme Stock Tone at Delta, Mo., alleging that the article had been shipped in interstate commerce, on or about January 20, 1933, by the Acme Salt Co., Inc., from Hutchison, Kans., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Acme Stock Tone \* \* \* Manufactured only by Acme Stock Salt Company, Inc., Tiffin, Ohio."

Analysis of a sample of the article by this Department showed that it consisted of a large proportion of lime carbonate, small proportions of silica, magnesium sulphate, ferrous sulphate and sulphur, and minute amounts of quassia, nux vomica, fenugreek, phosphate and whole American wormseed.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the circular accompanying the article were false and misleading: "Acme Stock Tone \* \* \* will give your cows an excellent appetite, increase the digestive organs so that the greatest quantity of rich milk will be produced. This product can be economically fed to both small and large herds, in fact, it will pay a nice profit if used on a single cow. It is a valuable food assimilator. \* \* \* which assists in causing rapid growth as well as increased production. \* \* \* Increases the flow of milk, causes the

offspring to make a rapid growth \* \* \*. To increase the flow of milk give  $\frac{1}{2}$  pound of Acme Stock Tone once a week to each cow \* \* \*. Acme Stock Tone has met the requirements of the Dairymen as well as the smaller farmer and Feeders who realize the importance of using the essential minerals. \* \* \* Hog may be eating much more than is necessary and showing no results on account of an undersupply of vitamins and minerals necessary to produce a rapid growth. Statistics show that a matured healthy hog will contain 35% of dried bone and that the ashes from the bone will contain 40% of Calcium and 17% Phosphorus which is supplied by Acme Stock Tone." Misbranding was alleged for the further reason that certain statements appearing in the labeling, regarding its effectiveness to protect cows against disease, as a treatment for derangement of the liver, kidneys and intestines in cattle, impaction of the rumen in cows; to build up cows from a diseased condition and keep them healthy, and for indigestion in cows; and to prevent malignant, epidemic or contagious diseases of hogs, hog cholera, worms in hogs, worms in sheep, and sickness and diseases of horses, were false and fraudulent.

On October 13, 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.*

**22341. Misbranding of Furstenberg's Felsol. U. S. v. 72 Small Packages, et al., of Furstenberg's Felsol. Default decrees of condemnation and destruction.** (F. & D. nos. 30747, 30897, 30945, 30946. Sample nos. 12718-A, 37329-A, 37923-A, 54810-A.)

These cases involved several shipments of Furstenberg's Felsol, which contained undeclared acetphenetidin, a derivative of acetanilid.

On August 11 and August 16, 1933, the United States attorney for the District of Columbia, acting upon reports by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia, holding a district court, libels praying seizure and condemnation of 148 packages of Felsol at Washington, D.C. On August 17, 1933, a libel was filed against 76 boxes of Felsol at Seattle, Wash., and on November 18, 1933, 153 boxes of the product were libeled at Portland, Ore. It was alleged in the libels that the article had been shipped in interstate commerce between the dates of May 23, 1933, and August 8, 1933, by the American Felsol Co.; that certain lots had been shipped from the State of New York into the District of Columbia; that the remaining lots had been shipped from Lorain, Ohio, into the States of Washington and Oregon, respectively; and that the article was misbranded in violation of the Food and Drugs Act.

The libels charged that the article was misbranded in that the packages failed to bear a statement of the quantity or proportion of acetphenetidin, a derivative of acetanilid, contained in the article.

No claimant appeared for the property. On September 22, October 18, 1933, March 26 and May 4, 1934, judgments of condemnation were entered in the respective cases, and the court ordered the product destroyed by the United States marshal.

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

**22342. Misbranding of Tonic Hypophosphites Compound. U. S. v. 23 Bottles of Tonic Hypophosphites Compound. Default decree of condemnation, forfeiture, and destruction.** (F. & D. no. 32074. Sample nos. 33297-A, 50653-A.)

Examination of the drug preparation involved in this case showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On March 4, 1934, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 23 bottles of Tonic Hypophosphites Compound at Dallas, Tex., alleging that the article had been shipped in interstate commerce, on or about January 10 and January 30, 1934, by Penslar Co., Inc., from St. Louis, Mo., 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 calcium, potassium, iron, manganese, quinine and strychnine salts, principally hypophosphites, sugar, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the carton and bottle labels, regarding the curative