

Food and Drugs Act as amended, on or about March 31, 1932, from the State of Pennsylvania into the State of New Jersey, of a quantity of Griscom's Family Liniment which was misbranded. The article was labeled in part: "Steelman & Archer Successors to Griscom Manufacturing Co., Philadelphia, Pa."

Analysis of a sample of the article by this Department showed it to be a nonhomogenous emulsion consisting essentially of ammonia (0.95 percent), fatty acids, soap, turpentine oil, volatile oils including camphor, 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, falsely and fraudulently represented that it was effective as a relief, treatment, remedy, and cure for rheumatism, sore throat, stiff joints, backache, and mumps; effective as a great remedy for all external aches and pains; effective as a relief for pain in the back, poisons and stiffness of limbs; effective as a treatment for influenza, caked udder, swellings, and sweeny in horses and cattle; and effective as a treatment for all pains and swellings.

On May 22, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$25.

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

22584. Misbranding of Hutchison's Big Head Liniment, Hutchison's Magic Oil, and Hutchison's Spleen Mixture and Blood Purifier. U. S. v. J. C. Hutchison, Jr. (Hutchison Medicine Co.). Plea of guilty. Fine, \$5. (F. & D. no. 30285. I. S. nos. 53667, 53668. Sample nos. 13304-A, 13308-A, 13309-A, 13310-A, 13311-A.)

Examination of the drug preparations covered by this case showed that they contained no ingredients or combinations of ingredients capable of producing certain curative or therapeutic effects claimed in the labeling.

On March 8, 1934, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against John C. Hutchison, Jr., trading with another at the time of the shipments in question as a partnership under the name of the Hutchison Medicine Co., Texarkana, Tex., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about January 9, February 17, March 22, June 29, and July 11, 1932, from the State of Texas into the State of Louisiana, of quantities of Hutchison's Big Head Liniment, Hutchison's Magic Oil, and Hutchison's Spleen Mixture which were misbranded. The articles were labeled in part: "Manufactured By [or "Prepared By"] Hutchison Medicine Co. Texarkana, Texas."

Analyses of samples of the articles by this Department showed that the Big Head Liniment consisted essentially of turpentine oil, a petroleum oil, and a small proportion of mercuric chloride; that the Magic Oil consisted essentially of oleoresin of capsicum, small amounts of camphor, chloroform, oil of peppermint, a salicylate and tannin, alcohol, and water; and that the Spleen Mixture and Blood Purifier consisted essentially of ammonium chloride, a small proportion of sodium benzoate, a trace of an iron compound, and water.

It was alleged in the information that the articles were misbranded in that certain statements in the labeling, regarding their curative and therapeutic effects falsely and fraudulently represented that the articles were effective (Big Head Liniment) as a treatment for muscular rheumatism and cramps, lumbago, sciatica, stiff neck or back, bronchial coughs, sore throat and chest colds, and ordinary sores; effective as a treatment for tightness in the chest due to cold and ordinary sore throat, as a treatment for boils, felons, cramps, and pains in the side or chest; effective as a remedy for rheumatism, sciatica, lumbago, lame back, soreness in the chest, side, or back, cramps in the muscles, stiff joints, and sore throat; effective to remove soreness from bunions; effective as a remedy in treating pneumonia and stubborn coughs; effective when applied to the chest to relieve the tightness and loosen up the cough; effective as a remedy for piles and to take out the soreness and help to remove the small tumors usually found in such cases; effective as a treatment, remedy, and cure for fistula and poll-evil in horses; effective as a relief for croup and sore throat in horses; effective as a treatment for lame cows; effective as a treatment, remedy, and cure for big head, sweeny, splint, spavin, ringbone, lameness in shoulders and front legs and sitfasts in horses; effective as a remedy for ring hoof and sores of any kind in horses; (Magic Oil) as a treatment for pains in the bowels and stomach, palpitation or smothering of the heart, acute indigestion, weak back, rheumatism, sore throat, croup,

toothache, and earache; effective as a remedy for colic or bots in horses; (Spleen Mixture and Blood Purifier) as a treatment, remedy, and cure for ailments of the spleen; effective as a blood purifier; effective as a treatment for enlarged spleen and torpid liver; effective to act upon the kidneys, causing them to separate the impurities from the blood, ejecting them through the natural excretory channels; effective as a remedy to keep the bowels open; effective as a treatment, remedy, and permanent relief for chronic chills, liver complaint, rheumatism, neuralgia, and malarial troubles; and effective as a remedy to regulate the action of the liver and kidneys.

Misbranding of the Magic Oil was alleged for the further reason that the statement "Magic Oil", borne on the carton and bottle labels, was false and misleading, since the statement represented that the article consisted wholly of oil which contained magic properties, whereas it did not consist wholly of oil and had no magic properties.

On May 7, 1934, the defendant entered a plea of guilty, and the court imposed a fine of \$5.

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

22585. Adulteration of elixir iron, quinine, and strychnine, and adulteration and misbranding of milk of bismuth. U. S. v. Walgreen Co. Plea of guilty. Fine, \$100. (F. & D. no. 30319. Sample nos. 4339-A, 4345-A.)

This case was based on an interstate shipment of two lots of drugs, one of which, sold as elixir iron, quinine, and strychnine, a name recognized in the National Formulary, failed to conform to the standard established by that authority; and the other, a quantity of milk of bismuth, labeled as containing in each fluid dram the equivalent of 5 grains of bismuth subnitrate, in fact contained the equivalent of a less amount.

On January 19, 1934, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Walgreen Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about July 28, 1932, from the State of Illinois into the State of Wisconsin, of a quantity of elixir iron, quinine, and strychnine which was adulterated, and of a quantity of milk of bismuth which was adulterated and misbranded. The articles were labeled in part, respectively: (Bottle) "Keller Elixir Iron Quinine and Strychnine * * * Valentine Laboratories, Inc., Chicago"; "Keller Milk of Bismuth * * * Walgreen Co. Chicago."

It was alleged in the information that the elixir iron, quinine, and strychnine was adulterated in that it was sold under a name recognized in the National Formulary, and differed from the standard of strength, quality, and purity as determined by the test laid down in the National Formulary official at the time of investigation, in that it contained not more than 1.376 g of anhydrous alkaloids of quinine and strychnine per 1,000 cc, whereas the said formulary provides that elixir iron, quinine, and strychnine shall contain quinine hydrochloride 8.75 g and strychnine sulphate 0.175 g, equivalent to 7.29 g of anhydrous alkaloids of quinine and strychnine per 1,000 cc, and the standard of strength, quality, and purity of the article was not declared on the container thereof.

Adulteration of the milk of bismuth was alleged for the reason that its strength and purity fell below the professed standard and quality under which it was sold in that each fluid gram of the article was represented to contain the equivalent of 5 grains of bismuth subnitrate; whereas the article contained less than the equivalent of 5 grains of bismuth subnitrate per each fluid dram, namely, not more than 3.9 grains of bismuth subnitrate per each fluid dram.

Misbranding of the milk of bismuth was alleged for the reason that the statement, "Stronger than the N. F. product. Each fluid dram contains the equivalent of 5 grains Bismuth Subnitrate", borne on the bottle label, was false and misleading, since each fluid dram of the article contained less than the equivalent of 5 grains of bismuth subnitrate.

On May 17, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$100.

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