

strict court an information against the Platt Drug Co., a corporation, and Isaac Platt, Chicago, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about February 28, 1933, from the State of Illinois into the State of Michigan of a quantity of Kavatone, and on or about August 4, 1933, from the State of Illinois into the State of Ohio, of a quantity of Nash's Croup and Pneumonia Salve, which were misbranded.

Analyses of samples of the articles by this Department showed that the Kavatone consisted of potassium iodide (0.4 percent), extracts of plant drugs, including a laxative drug, volatile oils including anise oil, sassafras oil, and methyl salicylate, a small proportion of acetic acid, isopropyl alcohol (approximately 3 percent), glycerin, and water, and that the Croup and Pneumonia Salve consisted of an ointment with a petrolatum base containing small proportions of camphor, menthol, pine oil, and sassafras oil.

It was alleged in the information that the articles were misbranded in that certain statements, designs, and devices regarding their curative or therapeutic effects, appearing in the labelings, falsely and fraudulently represented that they were effective (Kavatone) as a system purifier; effective as a builder of strength for the entire family; effective as a restorative; effective to produce energy and to aid digestion and promote general health; effective as a treatment, remedy, and cure for rheumatism, stomach, kidney and liver troubles, and impure blood; (Croup and Pneumonia Salve) as a treatment, remedy, and cure for croup, pneumonia, pains in the joints, stiffness, colic and similar diseases, coughs, whooping cough, piles, stiffness of joints, muscular rheumatism, la grippe, influenza, sore throat, tonsillitis and catarrh; effective as a treatment for all inflammations, to medicate the lungs, to cause loosening of the phlegm and to cause easier breathing; effective as an aid in treating congestion and inflammation such as chest colds, coughs, catarrh, sore throat, asthma, bronchitis, hay fever, piles, boils, tonsillitis, and pneumonia; effective to relieve difficult breathing; and effective to cool the fever in pneumonia.

Misbranding of the Kavatone was alleged for the further reason that the statement, "Prepared by the combination of herbs, roots, barks, leaves and blossoms", borne on the carton, was false and misleading, in that it represented that the article was prepared wholly from vegetable substances; whereas it was prepared from substances other than vegetable substances. Misbranding of the Kavatone was alleged for the further reason that it contained isopropyl alcohol, and the label on the package failed to bear a statement of the quantity and proportion of isopropyl alcohol contained in the article.

On July 25, 1934, the defendant was arraigned and was adjudged not guilty.

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

22660. Misbranding of Epsom Salt Tablets. U. S. v. DeVore Manufacturing Co. Plea of guilty. Fine, \$10. (F. & D. no. 31468. Sample no. 42984-A.)

This case was based on a shipment of a product labeled to convey the impression that its laxative effect was derived from Epsom salt. Analysis showed that the 2 tablets recommended for a dose contained but a fraction of a dose of Epsom salt, and that it contained phenolphthalein and aloin, or aloe, which would produce its principal laxative effect. The article was also falsely labeled as to the name of the manufacturer.

On April 11, 1934, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the DeVore Manufacturing Co., a corporation, Columbus, Ohio, alleging shipment by said company in violation of the Food and Drugs Act, on or about August 18, 1932, from the State of Ohio into the State of Pennsylvania, of a quantity of Epsom salt tablets which were misbranded. The article was labeled in part: "Clover Leaf Epsom Salt Tablets."

Analysis of a sample of the article by this Department showed that the tablets contained magnesium sulphate (4.5 grains per tablet), phenolphthalein (0.54 grain per tablet), and aloin, coated with calcium carbonate.

It was alleged in the information that the article was misbranded in that the statements, "Epsom Salt Tablets Compound," "To be used in place of the ordinary disagreeable Epsom Salts", "Two Tablets as effective as a tablespoonful of Epsom Salt", and "Penn Drug & Supply Co., 2 Lackawanna Ave., Scranton, Pa.", borne on the display card and carton and bottle labels, were false and misleading, in that they represented that the article was Epsom

salt tablets compound; that it could be used in place of the ordinary Epsom salts; that two tablets were as effective as a tablespoonful of Epsom salt, and that it was manufactured by the Penn Drug & Supply Co., Scranton, Pa.; whereas the article was not Epsom salt tablets compound in that it contained an inappreciable amount of Epsom salt; it could not be used in place of the ordinary Epsom salts; two tablets were not as effective as a tablespoonful of Epsom salt; and the article was manufactured by the DeVore Manufacturing Co., Columbus, Ohio.

On June 23, 1934, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of \$10.

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

22661. Misbranding of Servu Vaporizing Rub. U. S. v. 1,728 Jars of Servu Vaporizing Rub. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31765. Sample no. 59135-A.)

Examination of the drug product 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 December 22, 1934, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,728 jars of Servu Vaporizing Rub at Decatur, Ill., alleging that the article had been shipped in interstate commerce, on or about November 15, 1933, by the Service Laboratories, 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 volatile oils such as methyl salicylate, camphor, menthol, eucalyptus oil, and turpentine oil, incorporated in an ointment base composed of petrolatum and fat.

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 jar label, were false and fraudulent: "Directions for * * * coughs * * * for * * * rheumatism, stiff neck, etc."

On July 25, 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.*

22662. Misbranding of Po-Da-Cro Bak-Ake Kidney and Bladder Pills. U. S. v. The Podacro Co., Inc. Plea of guilty. Fine, \$250. (F. & D. no. 32204. Sample no. 30497-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 or about August 8, 1934, the United States attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Podacro Co., Inc., Morristown, Tenn., alleging shipment by said company in violation of the Food and Drugs Act, on or about May 2, 1933, from the State of Tennessee into the State of Virginia, of a quantity of Po-Da-Cro Bak-Ake Kidney and Bladder Pills which were misbranded.

Analysis of a sample of the pills by this Department showed that they contained juniper oil and methylene blue and were coated with calcium carbonate.

It was alleged in the information that the article was misbranded in that certain statements, designs, and devices regarding its curative and therapeutic effect, appearing on the bottle label, display box, and in a circular shipped with the article, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for kidney and bladder ailments and troubles, and for all urinary troubles, dropsy, rheumatism, and backache; effective to act on the liver; effective as a preventive of Bright's disease and other diseases of the kidneys; effective to tone up the stomach, to purify the blood, and to flush out and strengthen the kidneys; effective as a treatment, remedy, and cure for weak or lame back, congestion of kidneys, pain over kidneys, pain in back or side, inflammation of bladder, gravel, scalding urine, painful passage of urine, scanty urine, too frequent desire to urinate, sediment in urine, cloudy urine,