

sulting from overindulgence in either food or drink; effective in such conditions attributable to excess acid as stomach distress, poor digestion, acid dyspepsia, upset stomach, sleeplessness, and jaded appetite; and effective in the treatment of stomach or duodenal ulcer (peptic ulcer).

On or about September 19, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

**23008. Adulteration and misbranding of Paracelsus. U. S. v. 45 Cans and 99 Cans of Paracelsus. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 33059. Sample nos. 67590-A, 67591-A.)**

This case involved a product sold as a source of mineral salts. Comparison of the listed ingredients with those found on analysis showed deficiency in certain minerals, excess in others, and minerals present that were not listed. The article consisted chiefly of common table salt and contained ingredients that might be deleterious, although a booklet used as collateral advertising represented that it contained no common salt and the carton of the large size and the said booklet represented that it was safe and harmless. The label of the large packages bore unwarranted curative claims.

On July 9, 1934, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 45 small cans and 99 large cans of Paracelsus at New York, N. Y., alleging that the article had been shipped in interstate commerce, in part on or about February 27, 1934, and in part on or about April 4, 1934, by the American Biochemical Corporation, from Cleveland, Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

Analyses showed that the article consisted chiefly of sodium chloride (table salt) with smaller proportions of compounds of potassium and other metals, including phosphate, sulphate, and carbonate. Samples taken from the two sizes were found to contain in combination the following proportions of the element mentioned: Calcium (1.46 percent, 1.44 percent), carbon (0.54 percent, 0.44 percent), chlorine (21.9 percent, 22.4 percent), fluorine (0.04 percent, 0.04 percent), iron (0.05 percent, 0.06 percent), iodine (0.08 percent, 0.09 percent), magnesium (0.52 percent, 0.55 percent), manganese (0.03 percent, 0.03 percent), phosphates, calculated as phosphorus pentoxide (11.08 percent, 10.8 percent), potassium (8.4 percent, 8.5 percent), silicon (0.23 percent, 0.22 percent), sodium (22.6 percent, 21.6 percent), and sulphur (4.9 percent, 4.9 percent).

It was alleged that the article was adulterated under the provisions of the law applicable to drugs, in that its strength fell below the professed standard under which it was sold, namely, (carton) "Paracelsus \* \* \* contains the following elements in combination. Calcium 2.80%, Carbon .63%, Chlorine 17.72% \* \* \* Iron .40% \* \* \* Magnesium .27% \* \* \* Phosphates 8.17%, Potassium 9.71% \* \* \* Sodium 18.94%, Sulphur 2.26% ", (booklet, a supply of which was furnished the consignee by the consignor) "Do not confuse the term 'mineral Salts' with 'common table salt.' Paracelsus does not contain any 'common table salt.' \* \* \* There are no harmful \* \* \* drugs contained in this compound, and it is perfectly safe for both children and adults. Paracelsus contains no harmful drugs \* \* \* It is one of the few Absolutely Safe tonics available", since the article was composed largely of sodium chloride, which is common table salt, and it contained an iodide and a fluoride, all of which may be harmful to health and not safe for either children or adults.

Adulteration was alleged under the provisions of the law applicable to food in that the article contained added deleterious ingredients, namely, sodium chloride, an iodide, and a fluoride, which might have rendered it injurious to health.

Misbranding was alleged under the general paragraph applicable to foods and drugs in that the following statements on the cartons were false and misleading, since the article did not have the composition claimed for it: (Carton) "Paracelsus \* \* \* contains the following elements in combination. Calcium 2.80% Carbon .63% Chlorine 17.72% \* \* \* Iron .40% \* \* \* Magnesium .27% \* \* \* Phosphates 8.17% Potassium 9.71% \* \* \* Sodium 18.94% Sulphur 2.26% "; and in that the statement on the large carton, "The formula is compounded in the most approved and modern manner \* \* \* and contains no harmful ingredients", was false and misleading, since the article

contained ingredients which might affect adversely the health of the consumer, and the incorporation in a food product would not be approved by authorities in dietetics.

Misbranding was alleged under the provisions of the law applicable to drugs in that the statement on the carton of the large size, "The formula is compounded in the most approved and modern manner to facilitate assimilation", was false and fraudulent.

On July 31, 1934, no claimant having appeared, judgment of condemnation and forfeiture was entered, and destruction of the product was ordered.

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

**23009. Misbranding of Murray's Salve. U. S. v. 30 Jars of Murray's Salve. Default decree of condemnation and destruction. (F. & D. no. 33060. Sample no. 50646-A.)**

This case involved a drug product which was labeled with unwarranted therapeutic claims.

On July 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 a libel praying seizure and condemnation of 30 jars of Murray's Salve at Cincinnati, Ohio, alleging that the article had been shipped in interstate commerce on or about December 18, 1931, by the Where Laboratories, from Connersville, Ind., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted of wool fat, coal tar, charcoal, and water.

It was alleged in the libel that the article was misbranded in that the statements on the circular, "Blood Poisoned Sores. \* \* \* Boils, Carbuncles, Rusty Nail Incision, Pimples \* \* \* Itch, Eczema \* \* \* Tetter, Acne, Swollen Joints \* \* \* All Cuts, Piles, Gangrene, Bone Ulcers, All Infected Sores \* \* \* Pyorrhea, Toothache, Wens. \* \* \* Erysipelas, Felons \* \* \* Pyorrhea—Rub on Gums. Rheumatism—Bind on Joints. \* \* \* Sore Throat", regarding its curative and therapeutic effects, were false and fraudulent.

On August 23, 1934, no claimant having appeared, judgment of condemnation was entered and destruction of the product was ordered.

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

**23010. Misbranding of Dakota Jack's Cowboy Liniment. U. S. v. 54 Bottles of Dakota Jack's Cowboy Liniment. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 33061. Sample no. 26848-A.)**

This case involved a drug product which was labeled with unwarranted therapeutic claims. It also was claimed for the article that it was composed of roots and herbs, whereas it was not.

On July 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 a libel praying seizure and condemnation of 54 bottles of Dakota Jack's Cowboy Liniment at Cincinnati, Ohio, alleging that the article had been shipped in interstate commerce, on or about March 27, 1933, by the Dakota Jack-White-Moon Remedy Co., from Louisville, Ky., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of a volatile oil, such as turpentine oil, ammonia (1 percent), chloroform, linseed oil, and water.

It was alleged in the libel that the article was misbranded in that the statement in the circular, "All my Remedies are made with pure, sweet, fresh Roots and Herbs", was false and misleading. Misbranding was alleged for the further reason that the following statements regarding its curative and therapeutic effects were false and fraudulent: (Carton) "To be used externally for pain \* \* \* For Pain \* \* \* Relieves Lame Back but if you have constant backache your kidneys are out of order"; (circular) "An instant relief from pain \* \* \* deafness, \* \* \* toothache, earache, \* \* \* and rheumatic pains. \* \* \* For Toothache—Rub gums freely with liniment and put some in tooth. \* \* \* For Rheumatism—Rub parts affected hard and fast and keep rubbing until relieved. But if you have rheumatism use in connection with our Cheyenne Indian Rheumatism Remedy. \* \* \* For Croup and Sore Throat \* \* \* For Lame or Weak Back—Rub in all the liniment that will penetrate, then bake well by the fire, then rub again. If this don't stop it use Kidney and Bladder Remedy No. 2, for kidney troubles.