

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.