

district court a libel praying seizure and condemnation of 56 boxes of celery powder at Sandy Lake, Pa., alleging that the article had been shipped in interstate commerce on or about May 29, 1934, by the Celery Medical Co., either from Findlay, Ohio, or Fremont, Ohio, and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article was composed essentially of acetanilid (3.2 grains per powder), caffeine (0.5 grain per powder), sodium bicarbonate, and a small proportion of celery seed.

The article was alleged to be misbranded in that the statements on the label, "This preparation conforms to State and National Laws", and "Celery Powders", were false and misleading. Misbranding was alleged for the further reason that the package failed to bear on the label a statement of the quantity or proportion of acetanilid contained in the article, since the declaration on the label, "Each powder contains 3½ grains Po. Acetanilid", was incorrect and was inconspicuously placed on a side panel of the carton. Misbranding was alleged for the further reason that the following statements regarding its curative or therapeutic effects were false and fraudulent: "Nervous Bilious or Sick Headache Nervousness \* \* \* La Grippe Big Head A Great Bracer \* \* \* Directions—Place the powder dry on the tongue and take a swallow of water; repeat in 30 minutes if not entirely relieved. If possible sit or lie down quietly for half an hour. In extreme cases three doses may be taken. For Sun Pain take as above, followed with one powder morning and evening for three or four days, to prevent return. For children under 14 years, half of powder at dose."

On November 16, 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.*

**24076. Adulteration and misbranding of Anti-Pyrexol. U. S. v. 85 Boxes, et al., of Anti-Pyrexol. Default decree of condemnation and destruction. (F. & D. no. 33308. Sample no. 10827-B.)**

This case involved a drug preparation, the labeling of which contained unwarranted curative, therapeutic, and antiseptic claims.

On September 10, 1934, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of eighty-five 15-ounce boxes, five 5-pound boxes, and one 10-pound box of Anti-Pyrexol at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about May 17, July 6, and July 16, 1934, by the Kip Corporation, from Los Angeles, Calif., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of zinc oxide with small amounts of phenol and essential oils including methyl salicylate in an ointment base. Bacteriological examination showed that it was not antiseptic.

The article was alleged to be adulterated in that its strength fell below the professed standard of quality under which it was sold, namely, "Antiseptic." Misbranding was alleged for the reason that the following statements appearing on the container were false and misleading: (Lithographed on can) "Antiseptic"; (sticker on bottom of can) "This Lot \* \* \* has been Tested Bacteriologically according to Department of Agriculture, Drug & Food Control, methods of Testing antiseptics." Misbranding was alleged for the further reason that the statement appearing on the can label, "Antiseptic Treatment", was a statement regarding the curative or therapeutic effects of the article and was false and fraudulent.

On December 17, 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.*

**24077. Misbranding of Tetterine. U. S. v. 286 Packages of Tetterine. Default decree of condemnation and destruction. (F. & D. no. 33309. Sample nos. 6267-B, 6268-B.)**

This case involved a drug preparation which was misbranded because of unwarranted curative and therapeutic claims in the labeling.

On or about September 5, 1934, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 286 packages of Tetterine at Jacksonville, Fla., alleging that the article had been shipped in