

The article was alleged to be misbranded in that certain statements, designs, and devices appearing in the booklet shipped with the article, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for diabetes, diabetes mellitus, sugar diabetes, diabetic condition, the cause of diabetes, general symptoms of diabetes, such as weak and languid feeling, soreness, and pains in the limbs, emaciation, harsh, dry and itchy skin, distressed and worn expression of the countenance, mental changes, depression of spirits, decline in firmness of character and moral tone, irritability, neuralgia headache, diminishing of sexual inclination and power, visual defects, and temperature below normal; complications of diabetes such as boils and carbuncles, eczema, and gangrene, especially of the feet and legs, pulmonary complications, tuberculosis, lobar pneumonia, eye complications, cataract, optic atrophy, nervous complications, peripheral neuritis, ringing of the ears, deafness, diabetic coma or acidosis, unconsciousness, pain in the head, delirium, rapid and feeble pulse, sweetish odor of the breath, acetone bodies in the urine and nephritis; functional inefficiency of the pancreas.

On March 12, 1935, the defendants entered pleas of guilty and the court imposed fines totaling \$100.

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

**24538. Misbranding of Kendig & Weaver's K-W Syrup Tar and Horehound Compound. U. S. v. Morris Drug Co. Plea of guilty. Fine, \$25. (F. & D. no. 33835. Sample no. 62054-A.)**

This case was based on a shipment of a drug preparation, the labeling of which contained unwarranted curative and therapeutic claims.

On January 25, 1935, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Morris Drug Co., a corporation, York, Pa., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about March 14, 1934, from the State of Pennsylvania into the State of Maryland, of a quantity of Kendig & Weaver's K-W Syrup Tar and Horehound Compound which was misbranded.

Analysis showed that the article consisted essentially of extracts of plant drugs including horehound, tar, a calcium compound, chloroform, alcohol, sugar, and water, flavored with sassafras oil.

The article was alleged to be misbranded in that certain statements, designs, and devices regarding its therapeutic and curative effects, appearing on the bottle label and carton, and in a circular shipped with the article, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for coughs, hoarseness, whooping cough, croup, asthma, bronchitis, shortness of breath and diseases of the throat, chest, and lungs, and sore throat due to colds; effective as an instant relief for coughs, and as an instantaneous relief for coughs and bronchial troubles; effective as especially efficacious in cases of stubborn croup; and effective when used in connection with K-W Cold Tablets as a treatment, remedy, and cure for severe cases.

On March 20, 1935, 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.*

**24539. Adulteration and misbranding of Dr. J. O. Lambert's Syrup. U. S. v. Albert R. Demers (Dr. J. O. Lambert, Ltd.). Plea of guilty. Fine, \$100. (F. & D. no. 33840. Sample nos. 47194-A, 58038-A, 58046-A.)**

This case was based on three shipments of a drug preparation known as Dr. J. O. Lambert's Syrup. Examination showed that the article contained less chloroform than declared on the label; that it was not composed of vegetable substances only as represented, but contained mineral substances; and that the labeling bore unwarranted curative and therapeutic claims.

On February 20, 1935, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Albert R. Demers, trading as Dr. J. O. Lambert, Ltd., Troy, N. Y., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about January 24, October 4, and October 26, 1933, from the State of New York into the States of Massachusetts, Vermont, and Rhode Island, respectively, of quantities of Dr. J. O. Lambert's Syrup which was adulterated and misbranded. The article was labeled in part: (Bottle) "The Renowned Vegetable Discovery \* \* \* Chloroform U. S. P. one minim"; (carton) "Each Ounce Fluid Contains Chloroform U. S. P. 1¼ Minim."