

identical condition as when sold and delivered was shipped by the purchaser from the State of California into the State of Nevada; and that it was in fact adulterated and misbranded in violation of the Food and Drugs Act as amended. A portion of the article was labeled: "A-R-T Allen's Rheumatic Treatment (Tablet Form)." The remainder was labeled: "A-R-T Tablets."

The article consisted of blue and white tablets. Analyses showed that the blue tablets consisted essentially of acetylsalicylic acid; and that the white tablets contained sodium bicarbonate, caffeine, and acetanilid (the three samples containing 5.0 grains, 5.2 grains and 5.0 grains, respectively, of acetanilid per tablet).

The article was alleged to be adulterated in that it fell below the professed standard and quality under which it was sold in the following respects: The product in one shipment was represented to contain in each ounce 168 grains of phenylacetamide, namely acetanilid, whereas each ounce of the said tablets contained more than 168 grains of acetanilid, namely, not less than 246.5 grains of acetanilid. The product in the remaining shipments was represented to contain in each white tablet $3\frac{1}{2}$ grains of acetanilid, whereas each of the white tablets contained more than $3\frac{1}{2}$ grains of acetanilid, samples taken from each of the two lots having been found to contain 5.2 grains and 5 grains, respectively, of acetanilid.

Misbranding was alleged for the reason that certain statements, designs, and devices regarding the curative and therapeutic effects of the article, appearing on the label and in circulars and leaflets shipped with certain lots, falsely and fraudulently represented that it was effective as a treatment for rheumatism; effective as a quick relief for neuritis, lumbago, gout, and rheumatism of all kinds, such as sciatic, articular, muscular, and inflammatory; effective as a remedy for rheumatism in all its forms, including sciatic, muscular, inflammatory, and articular; effective as a cure for neuritis; effective to give quick relief from pains and aches, and to give complete relief, to break up and to give complete cures in the most severe and stubborn cases of rheumatism, neuritis, lumbago, and gout; effective as a quick and wonderful relief from the awful pains and aches suffered by those afflicted with rheumatism, neuritis, lumbago, and gout; effective as a pain reliever in all rheumatic and neuralgic diseases; effective as a treatment, remedy, and cure for toothache, earache, locomotor ataxia pains, migraine, fever (feverish conditions), ovarian pains, and pains and aches peculiar to women; effective as a relief for insomnia due to rheumatic and neuritis pains; and effective to induce sound sleep at night free from all aches and pains.

On April 22, 1935, the defendant entered a plea of guilty and the court imposed a fine of \$600.

W. R. GREGG, *Acting Secretary of Agriculture.*

24635. Misbranding of Iodine Crumble. U. S. v. Everett A. Huffine. Plea of nolo contendere; judgment of guilty. Fine, \$100 on first count; defendant placed on probation on remaining count. (F. & D. no. 32117. Sample nos. 2368-A, 50861-A.)

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

On October 1, 1934, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Everett A. Huffine, Los Angeles, Calif., alleging shipment by said defendant in violation of the Food and Drugs Act on or about September 30, 1931, and August 12, 1933, from the State of California into the State of Colorado of quantities of Iodine Crumble which was misbranded.

Analyses of samples showed that the article consisted essentially of small masses of calcium carbonate with small amounts of silica and iron compound. Free iodine was absent, but iodine in combined form was present. Phenolphthalein was found in one sample.

The article was alleged to be misbranded in that certain statements on the label falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for round worms (ascardia) and tapeworms in poultry.

On May 13, 1935, the defendant having entered a plea of nolo contendere on both counts, judgment of guilty was entered and the court imposed a fine of \$100 on the first count and ordered that the defendant be placed on probation for two years on the remaining count.

W. R. GREGG, *Acting Secretary of Agriculture.*