

false and misleading. Misbranding was alleged for the further reason that the following statements appearing in the labeling were statements regarding the curative or therapeutic effects of the article, and were false and fraudulent: (Carton and label) "Is an Instant Relief for * * * Earache, Toothache, Coughs, * * * Catarrh, Croup, Sore Throat, Hoarseness, Bronchitis, Catarrhal Deafness, Whooping Cough, Asthma, Influenza, * * * Rheumatism"; (circular) "Treatment of Pain for Man or Beast * * * It May Save Hours of Suffering * * * Pain may occur in any part of the body. When seized with pain think of this medicine * * * Rheumatic Pains is a disease that few are ever so fortunate as to escape. Its favorite seats are in the joints and nerves, or changing of the pain from one place to another are its ruling symptoms. Now it will attack the shoulder, next we find it in the knee, when leaving the knee it will appear in the hip joints, and thus it will go on successively visiting every joint in the body. This medicine is particularly recommended for pains. It should be rubbed over the painful and swollen parts. Neuralgia Pains are, strictly speaking, a disease of the nervous system and is characterized with sharp, shooting, intense pains, which generally are confined to some particular part of the body, the pain being intermittent with its character coming and going at its pleasure. This medicine will be found very serviceable in these complaints. It should be applied externally to the affected parts. Toothache. Apply the medicine to the gums around the aching tooth, and bathe the side of the face with it * * *. Sore Throat * * * Lumbago Pains. Hundreds of persons have been entirely relieved of lumbago pains. * * * the patients will be relieved from those fainting and other nervous sensations that are so apt to arise. In these cases the wounded part should be gently bathed with the medicine. * * * moisten a cloth with it and bind to affected part so as to draw out the poison."

On May 13, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

24666. Adulteration and misbranding of ether. U. S. v. 29 Cans of Ether. Default decree of condemnation and destruction. (F. & D. no. 35241. Sample no. 29435-B.)

This case involved an interstate shipment of ether samples of which were found to contain peroxide.

On March 12, 1935, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 29 cans of ether at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about April 30, 1934, by the Mallinckrodt Chemical Works, from St. Louis, Mo., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Ether for Anesthesia."

The article was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the test laid down in that authority, and its own standard was not stated on the label.

Misbranding was alleged for the reason that the following statements appearing on the label, "Critical Care in the Manufacture of this Ether Assures Anesthetists and Surgeons of a Product that is Free from Impurities as Peroxide", were false and misleading.

On May 24, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

24667. Misbranding of Tussamag. U. S. v. 10 Bottles of Tussamag. Default decree of condemnation and destruction. (F. & D. no. 35137. Sample no. 21516-B.)

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

On February 13, 1935, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10 bottles of Tussamag at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about October 4, 1934, by Dr. Robert M. Froehlich (Right-O Products Co.), from New York, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Tussamag * * * Albert Mendel Akt.-Ges. Chemical Works, Berlin, Germany.