

Joints and Other External Pains Directions \* \* \* freely into \* \* \* parts"; (Laxative Cold and Grippe Breakers, carton) "Grippe Breakers \* \* \* Adult Dose.—Two tablets every hour for three hours, then two tablets every four hours, and one or two at bedtime. Drink plenty of water. A cup of hot ginger tea at bedtime will be found beneficial. One half the above dose for children from 9 to 16 years."; (circular) "Dose—Adults. To relieve a cold or an attack of La Grippe, take two tablets every hour for three or four hours. Then take two tablets every four hours, and one or two tablets on retiring. Continue to take two or three tablets at night for several days, in order to completely rid the system of the cold. In severe cases, it is well to take a hot foot bath and drink a glass of hot lemonade or ginger tea upon retiring. Cover up well so as to get up a good sweat. Dose—Children. From 7 to 12 years old, one tablet every four hours. They are not well adapted for children under 7 years of age."

On November 26, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the products be destroyed.

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

**25144. Misbranding of Oil de Vita and Vita-Pine Bathol. U. S. v. 29 Small Bottles and 16 Large Bottles of Oil de Vita and 37 Bottles of Vita-Pine Bathol. Default decrees of condemnation and destruction. (F. & D. nos. 36425, 36426. Sample nos. 49543-B, 49544-B.)**

These drug preparations were misbranded because of unwarranted curative and therapeutic claims and other misrepresentations in the labeling.

On September 24, 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 libels praying seizure and condemnation of 45 large and small bottles of Oil de Vita and 37 bottles of Vita-Pine Bathol at Washington, N. J., alleging that the articles had been shipped in interstate commerce on or about August 22, 1935, by the Vita Laboratories from Philadelphia, Pa., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of the Oil de Vita showed that it consisted essentially of peppermint oil. Bacteriological examination showed that it would not destroy common pus-producing bacilli within 1½ hours. Analysis of the Vita-Pine Bathol showed that it consisted essentially of soap and water perfumed with pine-needle oil and colored, and that it contained not more than one-third of 1 percent, if any, of olive oil.

Misbranding of the Oil de Vita was alleged for the reason that the following statement appearing on the retail carton was false and misleading, since it would not destroy cold or catarrhal pus bacilli: "Properties: Destroys cold and catarrhal pus bacilli when taken internally." Misbranding of the Vita-Pine Bathol was alleged for the reason that the following statements on the bottle label were false and misleading when applied to a product containing no more than one-third to one per cent, if any, olive oil: "Bathol is a product composed of genuine Olive Oil and Pine Needle Extracts. The olive oil contained in Bathol is excellent for the skin." Misbranding was alleged with respect to both products for the further reason that the following statements on the labels were statements regarding the curative or therapeutic effects of the articles and were false and fraudulent: (Oil de Vita, retail carton) "Properties: Destroys cold and catarrhal pus bacilli when taken internally—10 to 20 drops, in a tablespoonful of water, twice daily. External rubbing on affected parts, relieves and conquers rheumatic conditions. \* \* \* Oil de Vita \* \* \* Always Relieving"; (bottle) "Oil de Vita \* \* \* Never Fails"; (Vita-Pine Bathol, bottle) "Vita \* \* \* Bathol should be used at all times \* \* \* especially for nervous, weak and rundown conditions."

On November 20, 1935, no claimant having appeared, judgments of condemnation were entered and it was ordered that the products be destroyed.

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

**25145. Misbranding of Pep Stock Medicine. U. S. v. 105 Packages of Pep Stock Medicine. Default decree of condemnation and destruction. (F. & D. no. 36437. Sample no. 48453-B.)**

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

On October 1, 1935, the United States attorney for the Western District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in