

25150. Misbranding of Tru Tablets of Asperin. U. S. v. 46 Dozen Bottles of True Tablets of Asperin. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 36688. Sample no. 51943-B.)

Unwarranted curative and therapeutic claims were made for this article.

On December 3, 1935, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 46 dozen bottles of Tru Tablets of Asperin at Erie, Pa., alleging that the article had been shipped in interstate commerce in or about November 1930, by the Blackstone Manufacturing Co., from Newark, N. J., to Erie, Pa., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Carton) "For Your Health's Sake for * * * Acute Rheumatism * * * or Other Pains of Nervous Origin."

Analysis showed that the article contained 4.97 grains of aspirin.

The article was alleged to be misbranded in that the following statements appearing upon and within the package were statements regarding the curative or therapeutic effect of the article and were false and fraudulent: (Display carton) "For Your Health's Sake * * * For * * * Acute Rheumatism * * * Or Other Pains of Nervous Origin. Also For the Relief of Gout, Sciatica, Tonsilitis, Influenza"; (box) "For * * * Acute Rheumatism * * * Or Other Pains of Nervous Origin. Also for the Relief of Gout, Sciatica, Tonsilitis, Influenza"; (circular) "Rheumatism, Lumbago, Sore Joints and Muscles * * * Acute Pains from Sciatica Toothache."

On January 7, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

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