

sented that it would stimulate and sooth, refresh and invigorate, insure sound and restful sleep, relieve distress after eating; that it was a vital necessity and was used extensively in hospitals and sanitariums; that it possessed health-giving properties; that it was the only stimulating beverage known that does not increase heart palpitation, create insomnia, nervousness, nor have any ill effect on the human system whatsoever; that it was beneficial to pregnant women and nursing mothers and to small children; that it would stimulate torpid nutrition and activate the bodily functions, induce a sense of well-being and increased intellectual lucidity and vigor; that it contained vitamins A, B, D, and E; that it was invaluable to everyone, but especially those who have heavy mental strain, nerve irritation, depression, the blues, acid stomach, neuritis, rheumatism, headache, constipation, indigestion, etc.; that it would maintain life, in the absence of other food, and would uphold it longer than any other substance; that it would stimulate the psychological function and the mind and that its use would not be followed by fatigue; that it would facilitate the function of the bowels and bladder, and that it was productive of virile vigor; that it was effective in cases of dyspepsia and other afflictions where tea and coffee are prejudicial; that it would lift the spirits, keep the muscular system in good condition, increase strength, make hardships more bearable; that it was a powerful brain stimulant with no after reaction; that it would produce enormous reserve force and power of endurance; that it was a solvent which would eliminate uric acid; that it was a perfect preventive for common ills; would directly feed the nervous system; that it was effective for stomach trouble; that it would tone up the system, dispel hunger, and release subconscious strength; that absolutely alone it would support life for weeks; that it would cause great activity of the peristaltic movements of the intestines, as well as a beneficial excitation of the gastric mucosa; that it would correct overeating and malnutrition; that it was the most nourishing and invigorating nervine so far known; that it would excite muscular strength, increase the action of the lungs and produce a feeling of well-being, of energy and mental lucidity; that it was a wonderful builder of the human system; that it would regulate fermentation in the digestive organs and increase assimilation, marvelously balancing the organic vigor of man; that it was a stomachic, laxative, and diuretic; that it would stimulate torpid digestion and speed up the organic functions; that it was a valuable aid or adjunct to any treatment or diet; that it would produce a healthier, heartier race; that it was endorsed by world authorities as of value in ailments due to mineral deficiencies or glandular disturbances such as obesity, blood disorders, rheumatism, asthma, stomach trouble, goiter, constipation, anemia, low vitality, nervousness, female disorders, pyorrhea, etc.; that it would eliminate fatness prejudicial to the beauty of the form; that it was effective for the anemic and underweight; and would aid digestion and assimilation.

On May 4 and June 24, 1936, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

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

**25834. Misbranding of An-Idin and Andre Stainless Iodine. U. S. v. 27 Packages of An-Idin and 21 Packages of Andre Stainless Iodine. Default decree of condemnation and destruction. (F. & D. nos. 36144, 36145. Sample nos. 36551-B, 36552-B.)**

False and fraudulent curative and therapeutic claims were made for these articles. The label of one of them bore an erroneous statement as to the weight of the contents of its container.

On August 22, 1935, the United States attorney for the District of Vermont, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 27 packages of An-Idin and 23 packages of Andre Stainless Iodine at Burlington, Vt., alleging that the articles had been shipped in interstate commerce on or about March 8, 1935, and June 17, 1935, by the Hygienic Supply Co., from Loudonville, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

The An-Idin was labeled in part: (Jar) "Sciatica Enlarged Glands Rheumatism \* \* \* Skin Diseases \* \* \* Etc."; (carton) "For the Relief of Pain \* \* \* Rheumatism Lumbago \* \* \* Arthritis Neuritis Sciatica Etc."; (circular) "Relieves Pain—Reduces Swelling. \* \* \* Myalgia and Neuralgia are relieved promptly and positively. Pain lessens and ceases with rubbing of An-Idin over the affected part. Sciatica—Marked improvement is shown by the first inunction. Lumbago \* \* \* Rheumatism—Rapid relief is

obtained by massaging An-Idin over joints and muscles. \* \* \* Catarrh, etc.—Insert about the size of a pea on the little finger and rub it well up into each nostril two to five times daily." The Andre Stainless Iodine was labeled in part: (Jar) "Sciatica Enlarged Glands Rheumatism \* \* \* Skin Diseases \* \* \* Etc."; (carton) "Sciatica Enlarged G'ands Rheumatism \* \* \* Skin Diseases"; (circular) "Relieves Pain Reduces Swellings \* \* \* Muscular and chronic Rheumatism If the pain is severe rub in a little at a time for fifteen minutes directly over the seat of the pain and repeat in an hour until relieved, or apply freely and cover with lint. For Chronic Rheumatism and swollen joints massage freely each night. For Sore Throat or Croup, Andre Iodine should be applied freely and covered with flannel. Andre Iodine is indicated in diseases of the Skin especially those of a scaly nature. Removal of Exudations in Protracted Pleurisy. Andre Iodine should be applied to the affected part and covered with lint. Chronic Bronchitis, Gout, Intercostal Neuralgia, Goitre and other glandular enlargements. Exceptionally beneficial in reducing swollen glands of young children without irritation by local application."

Analyses showed that the articles consisted essentially of an iodine compound incorporated in petrolatum, perfumed with methyl salicylate; that they contained no free or uncombined iodine.

Misbranding of the articles was alleged in that the above-quoted statements were statements regarding the curative and therapeutic effects of the respective articles; that the articles contained no ingredients or combinations of ingredients capable of producing the effects claimed; that the aforesaid statements were false and fraudulent.

Misbranding of the An-Idin was charged further in that the statement "Net Contents 1 oz. av." was false and misleading since the average quantity of the contents of the packages was materially less than 1 avoirdupois ounce.

On January 15, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

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

**25835. Adulteration and misbranding of ephedrine compound nasal ointment. U. S. v. 16 Dozen Tubes of Ephedrine Compound Nasal Ointment. Default decree of condemnation and destruction. (F. & D. no. 36427. Sample no. 49521-B.)**

This ointment contained less ephedrine than declared on the label; it contained no benzocaine, an alleged ingredient, and it was also labeled with false and fraudulent curative and therapeutic claims.

On or about September 27, 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 16 dozen tubes, more or less, of ephedrine compound nasal ointment at Trenton, N. J., alleging that the article had been shipped in interstate commerce on or about December 12, 1934, by John Wyeth & Bro., Inc., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article contained, in addition to other ingredients, ephedrine hydrochloride in amounts varying from 0.13 to 0.34 grains of ephedrine hydrochloride per ounce, and that it contained no benzocaine.

The article was alleged to be adulterated in that its strength fell below the professed standard of quality under which it was sold, namely, (bottle and carton) "Ephedrine Hydrochloride  $\frac{3}{4}$  gr. Ointment Base q. s. 1 oz."; (circular) "Benzocaine 10 grs. \* \* \* Ephedrine Hydrochloride 1 gr. in each ounce."

Misbranding was alleged for the reason that the statements, (bottle and carton) "Ephedrine Hydrochloride  $\frac{3}{4}$  gr. Ointment Base q. s. 1 oz.", and (circular) "Benzocaine 10 grs. \* \* \* Ephedrine Hydrochloride 1 gr. in each ounce \* \* \* Benzocaine is a local anesthetic which relieves the pain and intense itching incidental to acute nasal attacks", were false and misleading when applied to an article containing less than three-fourths of a grain of ephedrine hydrochloride and no benzocaine. Misbranding was alleged for the further reason that the following statement contained in the circular was a statement regarding the curative or therapeutic effects of the article and was false and fraudulent: "Benzocaine is a local anesthetic which relieves the pain and intense itching incidental to acute nasal attacks."

On November 20, 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.*