

26982. Misbranding of Ruherb, of Keystone Kidney, Bladder, Rheumatism, Liver, and Backache Remedy, of Keystone White Pine Compound Expecto- rant, and of Keystone Antiseptic Healing Oil Liniment, U. S. v. Keystone Laboratories, Inc. Plea of guilty. Fine, \$300. (F. & D. no. 88596. Sample nos. 32457-B, 32458-B, 55228-B, 62275-B, 62426-B, 7105-C.)

The carton and bottle label of the Ruherb contained false and fraudulent curative and therapeutic claims; and it was represented on the label to consist wholly of roots and herbs; when it in fact consisted in large part of magnesium sulphate, alcohol, and water, and the quantity or proportion of alcohol was not declared on the label. The carton and bottle label of the Keystone Kidney, Bladder, Rheumatism, Liver, and Backache Remedy contained false and fraudulent curative and therapeutic claims. The Keystone White Pine Compound Expecto- rant was labeled with false and fraudulent curative and therapeutic claims, and it contained more than the proportion of alcohol, and less than the proportion of chloroform represented on the label. The bottle label of the Keystone Antiseptic Healing Oil Liniment bore false and fraudulent representations regarding its curative and therapeutic effects.

On February 2, 1937, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Keystone Laboratories, Inc., Memphis, Tenn., charging shipment by said corporation in violation of the Food and Drugs Act as amended from the State of Tennessee, on or about December 9, 1935, into the State of Mississippi, and on or about January 14, 1936, into the State of Missouri, of quantities of Ruherb that was misbranded; on or about December 23, 1935, into the State of Mississippi, and on or about January 14, 1936, into the State of Missouri of quantities of Keystone Kidney, Bladder, Rheumatism, Liver, and Backache Remedy that was misbranded; on or about January 16, 1936, into the State of Illinois of a quantity of Keystone White Pine Compound Expecto- rant that was misbranded; and on or about July 20, 1936, into the State of Rhode Island of a quantity of Keystone Antiseptic Healing Oil Liniment that was misbranded.

Analysis of the Ruherb showed that it consisted chiefly of water, sugar, magnesium sulphate, alcohol, small quantities of salicylic acid and plant extractives including emodin, arbutin, and a minute quantity of alkaloids.

The Ruherb in the shipment of December 9, 1935, was alleged to be misbranded in that statements regarding its curative and therapeutic effects, borne on the bottle labels, falsely and fraudulently represented that it would be effective as a health, blood, and nerve tonic; effective as a treatment, remedy, and cure for indigestion, sick headache, biliousness, torpid liver, backache, irregular action of the kidneys, and bad complexion; effective to tone up the run-down system, to clear the complexion, and to purify the blood; and effective as a health builder.

The Ruherb in the shipment of January 14, 1936, was alleged to be misbranded in that statements regarding its curative or therapeutic effects, borne on the bottle labels and cartons and contained in an accompanying circular, falsely and fraudulently represented that it would be effective as a health-giving, tissue-building, blood, nerve, and laxative tonic; effective as a health builder and as a treatment, remedy, and cure for indigestion, sick headache, biliousness, torpid liver, backache, irregular action of the kidneys, bad complexion, and faulty elimination and its kindred ailments; effective to tone up the run-down system, to clear the complexion, and to purify the blood; effective as a treatment for those who are weak and nervous and lacking in energy and ambition and are not enjoying life; effective to stimulate the liver, to tone up the kidneys and bowels, and to restore the feeling of healthful vigor and vitality that is the normal condition of healthy men and women; effective to rid the system of poisonous filth, bile, and impurities, and to insure the restoration of perfect health, vim, vigor, and vitality; effective as a treatment, remedy and cure for kidney troubles, bladder troubles, impure blood, sallow complexion, pains in the back, dizziness, sick headache, muddy, sallow, and pimpled complexions, and loss of appetite; and effective as a general tonic in weak and run-down conditions of the system.

The Ruherb in both the shipments of December 9, 1935, and January 14, 1936, was alleged to be misbranded in that the statements, "Ruherb The Reliable Roots and Herb Tonic Compound * * * Belladonna, Senna Alexandria, Stramonium, Cascara Sagrada, Buchu and other curative agents derived from Nature's storehouse of Valuable Roots and Herbs", borne on the bottle

labels and cartons, were false and misleading in that they represented that it consisted wholly of belladonna, Alexandria senna, stramonium, cascara sagrada, buchu, and other roots and herbs; whereas in fact it did not so consist, but did consist in large part of a mineral substance, namely, magnesium sulphate, alcohol, and water. Said article was alleged to be misbranded further in that it contained alcohol and the label on the package failed to bear a statement of the quantity or proportion of alcohol contained therein.

Analysis of the Keystone Kidney, Bladder, Rheumatism, Liver, and Backache Remedy in both shipments showed that it consisted chiefly of water, sugar, alcohol, small quantities of potassium acetate, methenamine, juniper oil, benzoic acid, and plant extractives.

The Keystone Kidney, Bladder, Rheumatism, Liver, and Backache Remedy in the shipment of December 23, 1935, was alleged to be misbranded in that statements regarding its curative and therapeutic effects, borne on the bottle labels and cartons, falsely and fraudulently represented that it would be effective as a treatment, remedy, and cure for kidney, bladder, and liver ailments, rheumatism, backache, irritations or inflammations of the kidneys or bladder, weak back, tender bladder, too frequent desire to urinate, burning sensation, and highly colored urine.

The Keystone Kidney, Bladder, Rheumatism, Liver, and Backache Remedy in the shipment of January 14, 1936, was alleged to be misbranded in that statements regarding its curative and therapeutic effects, on the bottle labels and cartons, and in a booklet enclosed in the cartons, falsely and fraudulently represented that it would be effective as a treatment, remedy, and cure for kidney, bladder, and liver ailments, rheumatism, backache, irritations or inflammations of the kidneys or bladder, weak back, tender bladder, too frequent desire to urinate, burning sensation, highly colored urine, aching limbs, elbow joints, and shoulder blades; and effective to remove the cause thereof.

Analysis of the Keystone White Pine Compound Expectorant showed that it consisted chiefly of sugar, water, alcohol, plant extractives, and chloroform.

The Keystone White Pine Compound Expectorant was alleged to be misbranded in that statements regarding its curative and therapeutic effects, borne on the bottle labels, falsely and fraudulently represented that it would be effective as a treatment for coughs and bronchial affections. Said article was alleged to be misbranded further in that the statement, "Alcohol 3% Each fluid ounce contains Chloroform 3 grains", was false and misleading in that the article contained more than 3 percent of alcohol and each fluid ounce of the article contained less than 3 grains of chloroform.

Analysis of the Keystone Antiseptic Healing Oil Ointment showed that it consisted essentially of small quantities of ammonia water, turpentine oil, and camphoraceous material, a fixed oil, and water.

The Keystone Antiseptic Healing Oil Ointment was alleged to be misbranded in that statements regarding its curative and therapeutic effects, borne on the bottle labels, falsely and fraudulently represented that it would be effective as a speedy relief for many aches and pains of the body of man or beast; would be effective to penetrate the flesh of man or beast, to go direct to the seat of pain in the body, and to afford instant relief from the pain; and would be useful in the treatment of rheumatism, pain in the back, and stiff joints.

On February 4, 1937, a plea of guilty was entered on behalf of the defendant corporation and the court imposed a fine of \$300 and costs.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

26983. Misbranding of Sanadon. U. S. v. 15 Bottles of Sanadon. Default decree of condemnation and destruction. (F. & D. no. 38500. Sample no. 18522-C.)

The label of this article bore a false and misleading representation as to its antiseptic property, and false and fraudulent curative or therapeutic claims.

On November 5, 1936, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 15 bottles of Sanadon at St. Louis, Mo., alleging that it had been shipped in interstate commerce on or about March 5 and May 7, 1936, by the Creolina Chemical Co., from Belleville, Ill., and that it was misbranded in violation of the Food and Drugs Act as amended.