

mint, eucalyptus, sassafras, turpentine, and lavender oils, and a minute amount of a phenolic substance resembling wood creosote. It was alleged to be misbranded (1) because of false and misleading representations on its label regarding its efficacy in the treatment of sinus headaches, head colds, and sore throat; and (2) because of false and misleading representations in pink, blue, and buff circulars, and in an order blank, regarding the efficacy of the article in the treatment of failing eyesight, pleurisy, sinus infection, affections of the nose and throat, pulmonary tuberculosis, infection of the lungs or other area, lost strength, lost weight, head colds, cuts, burns, dark circles under the eyes, sunken cheeks, sallow complexion, rose and hay fever, tuberculosis of the throat and bones, red blotches on the legs, tuberculous blotches, difficult breathing, and daily elevation of temperature; and representations that it would be efficacious to destroy tubercle bacilli, and to cause diseased tissue to separate from healthy tissue so that it could be coughed up and cause the lung to heal.

Analysis of the Sinu-Vita Inhalant disclosed that it consisted of a green, clear liquid containing, chiefly, a saponifiable fixed oil and small amounts of eucalyptus, sassafras, lavender, peppermint, and turpentine oils, a small amount of a phenolic material resembling wood creosote, and a minute amount of undissolved sodium sulfate. It was alleged to be misbranded because of false and misleading statements appearing in its labeling which represented and suggested that it would be efficacious in the cure, mitigation, treatment, or prevention of sinus headache, head colds, sore throat, tuberculosis, bronchitis, affection of the lungs, pleurisy, sinus disease, pneumonia, affection of the bronchi and lungs, infection of the lungs or other area, cuts, burns, dark circles under the eyes, sunken cheeks, sallow complexion, rose and hay fever, tuberculosis of the throat and bones, large red blotches on the legs, tuberculous blotches, difficult breathing, daily elevation of temperature, lost strength, lost weight, pulmonary tuberculosis, and sinus infections; and that it would be efficacious to destroy tubercle bacilli, and to cause the diseased tissue to separate from the healthy tissue so that it could be coughed up and cause the lung to heal.

Examination of Sinu-Vita No. 2 disclosed that it consisted of a small bottle and a small tin box. Analysis of the contents of the bottle showed that it consisted essentially of small proportions of volatile oils including oil of peppermint, oil of eucalyptus, oil of sassafras, oil of lavender, and turpentine, incorporated in a fixed oil and colored green. Analysis of the contents of the tin box showed that it was a semi-solid containing small proportions of volatile oils, including oil of eucalyptus and oil of peppermint, in a minute amount of ammonium alum incorporated in a petrolatum base. The article was alleged to be misbranded because of false and misleading statements in its labeling which represented and suggested that it would be efficacious in the cure, mitigation, treatment, or prevention of hay fever, rose fever, sinus disease infection of the lungs or other area, head colds, cuts, burns, dark circles under the eyes, sunken cheeks, sallow complexion, tuberculosis of the throat and bones, large red blotches on the legs, tuberculous blotches, difficult breathing, daily elevation of temperature, lost strength, lost weight, pulmonary tuberculosis, and sinus infections; that it would be efficacious to destroy tubercle bacilli, and to cause the diseased tissue to separate from the healthy tissue so that it could be coughed up and cause the lung to heal; and that it would restore action of nasal cilia to a normal and healthy condition and lessen the chances of complicating hay fever with bronchial asthma.

All products were alleged to be misbranded further in that the name "Sinu-Vita" created the misleading impression that the articles were effective treatments for sinus diseases. Certain of the products were alleged to be misbranded further because the accompanying labeling contained false and misleading claims regarding other products, because the labels failed to bear a statement of the quantity of the contents, and because they failed to bear a statement of the common or usual name of each active ingredient, and the name and place of business of the manufacturer, packer, or distributor.

On May 23, 1944, the defendant having entered a plea of nolo contendere, the court imposed a fine of \$25 on each of the 4 counts.

**1276. Misbranding of "For Blood and Kidneys" medicine. U. S. v. Charles Scheuerman (C. Scheuerman). Plea of guilty. Fine, \$100. (F. D. C. No. 11333. Sample No. 48310-F.)**

On February 7, 1944, the United States attorney for the Southern District of Ohio filed an information against Charles Scheuerman, trading as C. Scheuerman, Cincinnati, Ohio, alleging shipment of a quantity of a liver, blood, and kidney remedy on or about May 4, 1943, from the State of Ohio into the State of Kentucky. The article was labeled in part: (Bottle) "For Blood and Kidneys \* \* \* C.

Scheurman"; (circular) "Vegetable Liver Medicine \* \* \* Blood Remedy \* \* \* For Blood and Kidneys."

Analysis of a sample showed that the article was an aqueous solution of plant extractives containing, chiefly, aloe and emodin-bearing drugs.

The article was alleged to be misbranded because of false and misleading statements in its labeling which represented and suggested that it would be efficacious in the cure, mitigation, treatment, or prevention of diseased conditions of the blood and kidneys in general, all diseases of the liver, stomach, bowels, skin, and blood, rheumatism, lumbago, stiffness and soreness of the joints, soreness of the muscles, palpitation of the heart, dizziness, numbness of the limbs, sickness at the stomach, cold hands and feet, bad taste in the mouth, flashes of heat, yellow skin, loss of appetite, sick headache, irregularities of the bowels, diarrhea, dysentery, flux, catarrh, debility, shortness of breath, stagnation of blood, bad circulation, scrofulous sores, tetter, old sores, and acrid humors in the blood; and that it would be efficacious to start the bile from the liver and remove it from the stomach. It was alleged to be further misbranded in that it failed to bear a label containing an accurate statement of the quantity of the contents and the common or usual name of each active ingredient.

On February 29, 1944, the defendant entered a plea of guilty and was sentenced to pay a fine of \$100.

**1277. Misbranding of Detoxyl Tablets. U. S. v. 12 Packages of Detoxyl Tablets, and a number of booklets and leaflets. Default decree of condemnation and destruction. (F. D. C. No. 11986. Sample No. 67412-F.)**

On March 10, 1944, the United States attorney for the Northern District of Ohio filed a libel against 12 packages of Detoxyl Tablets and a number of booklets and leaflets entitled "Autopathic Detoxyl Treatment," "Autopathic Instructions," and "Detoxication, Elimination Nutrition, Why Detoxyl," at Cleveland, Ohio, alleging that the tablets and the booklets and leaflets had been shipped on or about the last week in January 1944, by E. R. Moras, M. D., Highland Park, Ill.; and charging that the tablets were misbranded.

Examination disclosed that the tablets consisted essentially of sodium citrate, calcium glycerophosphate, calcium carbonate, and a small amount of talc.

The tablets were alleged to be misbranded because of false and misleading statements in the booklets and leaflets which represented, suggested, and implied that the article would be effective in the treatment of arthritis, asthma, abscessed tooth, acidosis, anemia, abscess of the appendix, appendicitis, bowels, blood pressure, biliousness, adenoids, Bright's disease, blood poisoning, bronchitis, change of life, constipation, consumption, congestion of the lungs, flu, head, heart, hemorrhoids, milk-leg, nephritis, nose peritonitis, stomach trouble, spasm, sex organs, stone in kidney, St. Vitus's dance, toxins, uterine tumor, weak bladder, colds, colitis, chicken pox, chronic ailments, cystitis, catarrh, diarrhea, diphtheria, diabetes, defense in epidemics, eczema, ear abscess, epilepsy, fevers in adults and children, general debility, gastritis, gall-bladder trouble, headaches and many other aches, hemorrhages, hay fever, high blood pressure, ill-nourished people, indigestion, influenza, inflammation of the bladder, infantile paralysis, liver complaints, malnutrition, measles, any illness, neuritis, nervous ailments and breakdown, nausea and vomiting of pregnancy, neuralgias, over-acidity, obesity, over-weight, over-fat people, piles, pellagra, pneumonia, pleurisy, detoxication and elimination, rheumatic fever, rheumatism, sciatica, skin disease, stroke, septicemia, scarlet fever, sinus troubles, typhoid fever, tonsillitis, tuberculosis, under-weight, ulcers of the stomach, whooping cough, arteriosclerosis, hardening of the arteries, and advancing old age.

The article was alleged to be further misbranded because of false and misleading statements appearing on the carton which represented and suggested that the product was effective as an aid to detoxication, elimination, and nutrition; and in that it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each active ingredient.

On June 19, 1944, no claimant having appeared, judgment of condemnation was entered and the tablets and aforesaid printed matter were ordered destroyed.

**1278. Misbranding of Paracelsus. U. S. v. 9 Cans, 2 Cans, and 9 Cans of Paracelsus. Default decree of destruction. (F. D. C. No. 11825. Sample Nos. 3786-F, 3787-F.)**

On or about February 18, 1944, the United States attorney for the Western District of Missouri filed a libel against 9 cans, each containing 160 grams, 2 cans, each containing 320 grams, and 9 cans, each containing 600 grams, of Paracelsus at Kansas City, Mo., alleging that the article had been shipped on or about November 29 and December 16, 1943, from Cleveland, Ohio, by the American Biochemical Corporation; and charging that it was misbranded.