

It was alleged in the libel that the article was misbranded in that the following statements, borne on the bottle and carton labels and in the accompanying circular, regarding the therapeutic and curative effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label) "For * * * Grippe, Influenza, Fever * * * 3 tablets every 15 minutes for 4 doses; then every hour until relieved. Children, 2 tablets given as above. Young Children and Infants, 1 tablet every half hour for 4 doses, then every hour until relieved;" (carton) "For * * * Influenza Grippe;" (circular) "Grippe Hyland's No. 14 is * * * the most effective remedy * * * to relieve * * * Grippe and Influenza. * * * Everyone should have Hyland's No. 14 for emergency use. Remember—A neglected cold today may develop tomorrow into pneumonia or other serious complications."

On May 25, 1929, no claimant having appeared for the property, a decree was entered adjudging the product misbranded, and it was ordered by the court that the article be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16535. Misbranding of EfeDron Hart nasal jelly. U. S. v. 24 Dozen Packages of EfeDron Hart Nasal Jelly. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23533. I. S. No. 01547. S. No. 1503.)

On March 18, 1929, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 24 dozen packages of EfeDron Hart nasal jelly, remaining in the original packages at St. Louis, Mo., alleging that the article had been shipped by the Hart Drug Corporation, Miami, Fla., on or about January 14, 1929, and transported from the State of Florida into the State of Missouri, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted of a mucilaginous mass containing ephedrine hydrochloride, chlorobutanol, phenol, sodium chloride, and water flavored with oil of cinnamon.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the circular accompanying the said article, "Is entirely harmless when used in the nose," and "May be used repeatedly without any harmful effects whatsoever," were false and misleading. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, appearing on the carton and in the accompanying circular, (carton) "Hay Fever, Catarrh, Influenza and Sinus Infections. * * * Rapidly opens the air passages of the nose * * * to keep the nasal passage open," (circular) "EfeDron Nasal Jelly * * * Treatment for Affections of the Nose * * * antiseptics * * * It is indicated also in any condition in which the breathing space in the nose is obstructed. * * * antiseptic qualities * * * quickly * * * reestablish normal breathing space in the nose * * * allowing free * * * drainage of all the nasal passages. * * * in acute inflammations * * * in the more chronic conditions * * * all inflammations of the nose, either acute or chronic, in sinus infections, hay fever and as an aid in the prevention and treatment of influenza * * * opening the breathing spaces, and allowing free * * * drainage * * * shorten the duration of the infection * * * lessen the accumulations in the back of the nose and throat. * * * Nasopharyngitis—So-called Catarrh: Chronic inflammation of the nasal mucosa. If used before an atrophic rhinitis has developed, EfeDron (Hart) will give marked relief. * * * the relief accorded in these conditions is usually remarkable and lasting. Sinus Infections: EfeDron (Hart), as before stated, establishes through * * * drainage of the nasal passages * * * by shrinking the mucous membranes it promotes drainage of the sinuses. Hay fever: the action of EfeDron (Hart) in hay fever is nothing short of marvelous. Usually within a space of three minutes' time, the burning discharge from the nose is stopped, the normal breathing space is re-established and the lachrymal secretions are normal. EfeDron (Hart) does not cure hay fever, but does give almost instantaneous and complete relief from all the distressing nasal and eye symptoms. The symptoms of hay fever can be controlled by the repeated use of this preparation. Influenza: When associated, as it usually is, with an infection and inflammation of the upper respiratory tract, EfeDron (Hart) when used as directed is very

helpful, giving almost immediate relief from the nasal symptoms and helping to eliminate this source of infection. EfeDron (Hart) is valuable in the treatment of nasal infections in children and infants. * * * It will quickly stop the 'snuffling' and irritating nasal discharges. It will re-establish normal breathing space in nursing infants, permitting easy nursing and restful sleep. It is useful in preventing middle ear complications. * * * Post-operative swelling in the nose is reduced to a minimum by its use. * * * drainage are easily maintained, allowing the patient a comfortable convalescence. EfeDron (Hart) not only shrinks the mucosa, but is a mild * * * antiseptic * * * In over five hundred clinical tests conducted by competent physicians, we have found that the amount of ephedrine hydrochloride in our water soluble base produces maximal ephedrine action locally with no systemic reactions," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that it was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On June 18, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16536. Misbranding of Yago One Day cold tablets. U. S. v. 99 Cartons of Yago One Day Cold Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23549. I. S. No. 07. S. No. 1690.)

On March 21, 1929, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 99 cartons of Yago One Day cold tablets, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by L. J. Barnett Co., from Des Moines, Iowa, on or about August 23, 1928, and transported from the State of Iowa into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of acetanilide, a quinine compound, resins, aloin, extracts of plant drugs including a laxative drug, and traces of mydriatic and ipecac alkaloids.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent: (Carton) "For * * * LaGrippe;" (circular) "For * * * Attack of LaGrippe * * * Für * * * einem Anfall von LaGrippe," and similar statements in other foreign languages.

On June 11, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16537. Misbranding of Palatol. U. S. v. 12 Dozen Bottles of Palatol. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23489. I. S. No. 02123. S. No. 1696.)

On or about March 8, 1929, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 12 dozen bottles of Palatol at San Juan, P. R., alleging that the article had been shipped by Parke, Davis & Co., New York, N. Y., on or about February 9, 1929, from the State of New York into Porto Rico, and that it was being sold and offered for sale in Porto Rico by Serra, Garabis & Co. (Inc.), San Juan, P. R., and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of cod-liver oil, malt, wild cherry, phosphates, cholesterol, alcohol, sugar, and water.

It was alleged in the libel that the article was misbranded in that the following statements on the labeling regarding the curative and therapeutic effects of