

Analysis of a sample of the article by this department showed that it consisted essentially of water-soluble constituents of caramelized cereals.

It was alleged in the libel that the article was misbranded in that the statement in stencil on the shipping cases, "Rich in Vitamins," and the statements on the carton label, "Super Food * * * is the concentrated vital essence of Figs, Raisins, Peanuts, Walnuts, Barley, Wheat and Celery * * * it is a wonderfully balanced food—supplies nature's essential requirements enabling the body to take care of itself * * * Balanced * * * Food, Approved by the U. S. Pure Food Commission, Rich in Vitamins," and the statements on the bottle label, "Balanced * * * Food * * * For Infants Contains the Vital Elements of Figs, Raisins, Peanuts, Walnuts, Barley, Wheat and Celery, * * * Rich in Vitamins, Complies with Pure Food Laws," were false and misleading. Misbranding was alleged for the further reason that the following statements on the carton label and in the yellow circular accompanying the article regarding the curative and therapeutic effects of the said article, "Aids digestion, assimilation and elimination * * * A health sustaining food * * * for * * * infants * * * Keeps Old Age Away * * * The Cup of Life W. H. Y. Feeds your Nerves * * * Feeds Your Glands * * * Gives You Strength * * * Clears the skin and gives that coveted healthy complexion * * * the cup of life," (circular) "Health * * * Breakfast. For one doing heavy work," were false and fraudulent, since the said article contained no ingredients or combination of ingredients capable of producing the effects claimed.

On July 16, 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.*

16563. Misbranding of Pulmonol. U. S. v. 9 Bottles of Pulmonol. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23421. I. S. No. 04124. S. No. 1567.)

On February 15, 1929, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the district aforesaid, holding a District Court, a libel praying seizure and condemnation of 9 bottles of Pulmonol, remaining in the original unbroken packages at Washington, D. C., alleging that the article had been shipped by the Pulmonol Corporation, from Herkimer, N. Y., on or about January 30, 1929, and transported from the State of New York into the District of Columbia, 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 potassium guaiacol sulphonate (3.2 per cent), sodium benzoate (1.42 per cent), hydrochloric acid (0.07 per cent), nux vomica extract, glycerin, and water.

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, (bottle label) "Pulmonol * * * Used in the treatment of * * * coughs, grippe, Influenza and all Pulmonary Troubles. * * * For severe * * * bronchitis, influenza and tonsilitis take one teaspoonful in half glass of water every two hours until relieved, then two teaspoonfuls in half glass of water after each meal and on retiring. For Coughs, put Pulmonol on loaf of sugar and take as required to allay the cough. In convalescence and as a tonic, two teaspoonfuls in half glass of water after meals and on retiring. * * * The Pulmonol Corporation," (carton) "Pulmonol * * * All forms of Coughs, Bronchitis, Chronic and Acute Colds, General Run Down Condition, Nervous Indigestion, Weak Lungs and other pulmonary troubles. Unequaled as a Tonic following Influenza, Grippe, Pneumonia," (booklet) "Pulmonol * * * The Pulmonol Corporation * * * Pulmonol is a time tested remedy for all forms and conditions of pulmonary troubles and minor affections which lead to such. Chief among them being * * * Coughs, Influenza, Grippe, Etc. Also used with success in the treatment of run down condition of the body due to the imperfect assimilation of foods. Pulmonol is prepared after the prescription of Dr. A. V. Payne who evolved this remedy after many years of specializing on throat and lung troubles. * * * Conditions for which Pulmonol is Especially Recommended * * * Coughs, Bronchitis, Loss of Flesh and All Wasting Diseases. The majority of diseases of the throat and lungs originate directly from a so-called cold, and at first symptoms of such a condition treatment with Pulmonol should begin—and the trouble

will be quickly relieved. Influenza with its various complications which always follow, responds at once to Pulmonol and so aids nature to restore the health to normal. A little cough is always a danger signal that should be heeded. It is nature's way of informing you to Stop—Look. Don't let a cough develop when Pulmonol will go to the seat of the trouble and relieve it.

* * * News came of a friend who had recovered her health by taking Pulmonol. * * * I am now in perfect health. * * * The Use of Pulmonol as a System Tonic. Practically every run-down condition of the system, loss of appetite, loss of weight and that tired out feeling are due entirely to a diseased condition of the membranes of the digestive organs. Pulmonol by its action restores these membranes to their natural condition—increases the appetite and builds rich red blood. As it contains no stimulants this effect is lasting and permanent. Pulmonol eliminates the cause. In every case where there is a need for tonic action Pulmonol is the one remedy that is guaranteed to give results without any bad after effects. Especially after fevers or a prolonged illness the effects of Pulmonol is immediate and gratifying. * * *

A bank official * * * had a rising temperature every afternoon * * * upon examination of the lungs, found that the apex of the right lung was affected * * * took Pulmonol upon my recommendation and has now been in better health than he has been for a long while, attending to his duties every day, and is very well indeed * * * Pulmonol for * * * Grippe * * *

Grippe—the word that signifies chills, fever and that ache-all-over feeling, not only responds at once to the action of Pulmonol, but further developments of a serious nature are quickly checked. * * * For five months I have had a deep seated and persistent cough that so sapped my vitality that it seemed at times that I should have to give up my school duties. Before I had taken one bottle of Pulmonol, I knew I was going to get rid of the cause, and when the second bottle of medicine was finished not a trace of the cough remained and I Know That I Am Cured. * * *

Pulmonol for Bronchial Troubles Husky voice, loss of voice, * * * are generally the first indications of trouble in the bronchial organs. Although these conditions suggest nothing serious it may mean the beginning of one of the most fatal diseases known if not promptly checked. Pulmonol is an ideal preparation for these conditions. * * *

Healing to the inflamed bronchial tubes, and entirely eliminating the causes. At the same time Pulmonol tones up the entire system and thus prevents the ailment from making inroads, from which serious troubles might develop. * * *

He took Pulmonol sixteen weeks after he returned and his appetite improved wonderfully—gained in strength—cough stopped. He returned to work and is now in perfect health and weighs 180 pounds. * * *

Pulmonol in Wasting Diseases. The one vital underlying cause of all wasting diseases, loss of weight and poor appetite, is deranged digestion which prevents the food from being properly assimilated, food not assimilated is waste—from which the body can receive no nourishment. * * *

As soon as this takes place the appetite increases and nutrition increases. And best of all the results are lasting. * * *

Our little boy had pneumonia. After the acute attack he gradually grew worse, until he was nothing but skin and bones—had to be wheeled in a chair—no appetite—coughing and raising pus. We simply tried the Pulmonol treatment through sheer desperation and not from any idea of it's curing him. For nearly six years he has attended school and is now in good health. * * *

Pulmonol as a Preventive. The old adage of 'An ounce of Prevention is worth a pound of Cure,' is perhaps nowhere more exemplified than by having a bottle of Pulmonol in the house ready for the first symptoms. * * *

With Pulmonol handy a few doses will * * * prevent further trouble. Pulmonol is also valuable as a nasal spray or gargle for infected throats, and in its action is very thorough. * * *

obtain a bottle of Pulmonol—have it ready to check the ailment that may start tomorrow. * * *

I believe Pulmonol to be a wonderful medicine for coughs. * * *

bronchial troubles and run down conditions, and I do not hesitate to recommend it for all cases of pulmonary trouble. I believe in Pulmonol and that it will do for humanity all that you claim for it," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 12, 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.*