

It was alleged in the libel that the article was misbranded in that the following statements appearing on the retail carton and tin box labels, and in the accompanying circular, regarding the curative and therapeutic effect of the article, were false and fraudulent since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Retail carton) "Apply freely * * * to the injured part. * * * Highly Efficient * * * curative treatment of * * * Sores * * * Itch * * * Eczema * * * Piles * * * Skin Diseases * * * Injuries of All Character * * * Heals * * * healing * * * All Healing;" (tin box) "All Healing * * * A * * * Healing, Nutritive Emollient * * * Sores * * * Bites * * * Piles, Ulcers, Eczema and all Skin Diseases * * * Apply Freely to Afflicted Parts;" (circular) "Is easily and quickly absorbed by the skin and underlying tissues. It carries the relieving * * * healing * * * properties of the ointment all through the tissues where they are most needed. This Emollient contains * * * Healing * * * Properties * * * With a * * * Healing Base. * * * Quickly Heals * * * It * * * heals and forms new healthy tissue, in Old Sores, Ulcers, Wounds and all offensive non-healing eruptive surface skin diseases accompanied by a discharge. It is a specific for Piles, Hemorrhoids, Eczema, Salt-rheum, Itch, Ringworm, Scald-head, Bites * * * all Skin Diseases * * * It is a * * * healing remedy for Catarrh * * * Influenza, Hay Fever, and all diseases of the Mucous Membrane of the Nasal Passages. * * * Apply freely to afflicted parts * * * In the Treatment of Old Sores * * * For the Treatment of Catarrh."

On January 31, 1930, 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 United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17460. Misbranding of Stanback headache powders. U. S. v. 10 Gross, et al., of Stanback Headache Powders. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23395. I. S. Nos. 05556, 05557. S. No. 1564.)

Samples of a drug product known as Stanback headache powders from the shipment herein described having been found to contain less acetanilide than represented on the label, and to bear in the labeling certain curative and therapeutic claims not justified by its composition, the Secretary of Agriculture reported the facts to the United States attorney for the Northern District of Georgia.

On February 19, 1929, the United States attorney filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11½ gross packages of Stanback headache powders, remaining in the original unbroken packages at Atlanta, Ga., alleging that the article had been shipped by the Stanback Medicine Co., from Spencer, N. C., in part on or about January 14, 1929, and in part on or about February 11, 1929, in interstate commerce into the State of Georgia, 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 the powders contained acetanilide (2.1 grains each), acetylsalicylic acid (5.8 grains each), potassium bromide (11.6 grains each), and caffeine.

It was alleged in substance in the libel that the article was misbranded in that the following statements, "Each Powder contains two and one-half grains of acetanilid, * * * for headache, neuralgia, la-grippe, earache, toothache, rheumatic and female pains," regarding the curative and therapeutic effects of the article and the standard of strength under which it was sold were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

The charges recommended by this department were that the article was adulterated in that it fell below the professed standard under which it was sold, namely, (label) "Each powder contains 2½ grains acetanilid," that it was misbranded in that the statement, "Each powder contains 2½ grains acetanilid," was false and misleading; and that it was further misbranded in that the statements, (envelope container) "For * * * Neuralgia, La-grippe, Earache, Toothache, Rheumatic and Female Pains * * * For * * * Neuralgia, take one powder * * * For Earache, Toothache, Colds, La-grippe, Rheumatic, Sciatic and Female pains take one powder every 2 or 3 hours," and (display carton) "Recommended for * * * Neuralgia," were

false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 25, 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.*

17461. Adulteration and misbranding of Mosso's oil of salt. U. S. v. 2 Dozen Small Bottles, et al., of Mosso's Oil of Salt. Default decree of destruction entered. (F. & D. No. 23649. I. S. Nos. 05233, 05234. S. No. 1892.)

Examination of samples of a drug product known as Mosso's oil of salt having shown that it possessed no germicidal properties and only very weak antiseptic properties, and that the labeling bore certain therapeutic and curative claims that were not justified by the composition of the article, the Secretary of Agriculture reported to the United States attorney for the District of Minnesota the herein-described interstate shipment of a quantity of the product, located at Minneapolis, Minn.

On April 27, 1929, the United States attorney filed in the District Court of the United States for the District of Minnesota a libel praying seizure and condemnation of two dozen small bottles and one dozen medium-sized bottles of Mosso's oil of salt, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the C. A. Mosso Laboratories from Chicago, Ill., on or about March 8, 1929, in interstate commerce into the State of Minnesota, and charging adulteration and 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 linseed oil, turpentine, camphor, and phenol. Bacteriological examination showed that the article possessed no germicidal properties and only very weak antiseptic properties.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard or quality under which it was sold, viz: (Carton, medium size) "Antiseptic, * * * possesses unique germicidal * * * qualities, * * * prevents and destroys infection;" (carton, small size) "Antiseptic, * * * destroys infection, * * * check infection;" (bottle label, medium size) "Antiseptic, * * * checks * * * infection;" (bottle label, small size) "Antiseptic, * * * checks * * * infections;" (circular accompanying both sizes) "Antiseptic, * * * Ideal Antiseptic, Use It in Place of Iodine! * * * possesses astonishing antiseptic * * * powers. * * * kills bacteria."

Misbranding was alleged for the reason that the following statements from the labeling were false and misleading: (Carton, bottle label, and circular) "Oil of Salt, Antiseptic;" (carton, medium size) "Possesses unique germicidal * * * qualities. Prevents and destroys infection;" (carton, small size) "Destroys infection, * * * checks infection;" (bottle label, medium size) "Checks * * * infections * * * very penetrating;" (bottle label, small size) "Checks * * * infection. * * * very penetrating;" (circular accompanying both sizes) "Ideal Antiseptic, Use It in Place of Iodine! * * * Oil of Salt possesses astonishing antiseptic * * * powers. Kills bacteria * * * Its action is swift, * * * and sure, * * * how quickly it penetrates." 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 bottle labels and in the accompanying circular, were false and fraudulent since the article contained no ingredients or combination of ingredients capable of producing the effects claimed: (Carton, medium size) "A valuable aid in the treatment of Pyorrhea, Alveolaris, Gingivitis and other diseases of the Mouth and Gums. The Amazing Healand, Amazingly Effective in Treatment of Acne * * * Eczema, Gum Soreness, Itch * * * Pimple Rash, * * * Pyorrhea, * * * Inflammation. Checks flow of blood. Prevents and destroys infection. Especially effective in cases of skin infections and diseases of mouth tissues and gums;" (carton, small size) "Healing, valuable in treatment of * * * sores, * * * destroys infection, * * * an ideal first aid for wounds, * * * Healand, * * * designed to check infection;" (bottle label, medium size) "Healand, * * * Invaluable in Treatment of * * * Sores * * * Checks inflammation and infections of Skin (Eczema and various Types of Itch) and of the Mouth and Gums (Pyorrhea, Gingivitis, etc.) Unusual results in cases of