

claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Washington.

On September 15, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of four bottles of Soak-In liniment, remaining in the original unbroken packages at Spokane, Wash., alleging that the article had been shipped by Morgan & Sampson, from San Francisco, Calif., on or about March 6, 1930, and had been transported from the State of California into the State of Washington, 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 oils including methyl salicylate (49 per cent), and peppermint oil.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the carton and bottle labels and in the accompanying circular, regarding the curative and therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton and bottle) "Relieving pain * * * Colds on Lungs and Coughing * * * Whooping Cough * * * For Asthma * * * Rheumatism * * * Lumbago * * * Growing Pains * * * Relieves Pain;" (circular) "Relieving pain or congestion * * * rheumatism * * * cold on lungs, lumbago, coughing, whooping cough, growing pains and asthma."

On October 16, 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 the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17757. Misbranding of Novak's kidney pills and Komet. U. S. v. 11 Packages of Novak's Kidney Pills, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 24878, 24879. I. S. Nos. 020820, 020821. S. No. 3216.)

Examination of samples of drug products, known as Novak's kidney pills and Komet, from the herein-described interstate shipments having shown that the labels bore claims of curative properties that the articles did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Michigan.

On or about July 3, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 11 packages of Novak's kidney pills, and 11 packages of Komet at Detroit, Mich., alleging that the articles had been shipped by the John Novak Co., from Chicago, Ill., May 26, 1930, and had been transported from the State of Illinois into the State of Michigan, and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the articles by this department showed that Novak's kidney pills contained methylene blue and cubeb oleoresin and that Komet consisted essentially of petrolatum and wax, containing small amounts of camphor, menthol, methyl salicylate, and turpentine oil.

It was alleged in the libel that the articles were misbranded in that the following statements appearing on the labels, regarding the curative and therapeutic effects of the respective articles, were false and fraudulent, since the said articles contained no ingredients or combinations of ingredients capable of producing the effects claimed: (Novak kidney pills, carton) "Kidney Tablets for the Treatment of Diseases of the Kidneys and Bladder, such as Pain in the Back, Weak Back, Rheumatism, Dropsy and all other Urinary Disorders;" (Komet, carton) "A Whip for Pain for Rheumatism * * * Sciatica, Lumbago, Headache, Influenza, * * * Sore Throat, Swellings, Lameness, Pain in the Back;" (Komet, tube) "Rheumatism, * * * Sciatica, Lumbago."

On November 14, 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 the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*