

17963. Misbranding of Rexall grippe pills. U. S. v. 957 Boxes of Rexall Grippe Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23370. I. S. No. 03641. S. No. 1538.)

Examination of samples of a drug product, known as Rexall grippe pills, from the herein-described shipment having shown that the labels bore claims of curative and therapeutic properties which the article did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On February 5, 1929, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 957 boxes of Rexall grippe pills, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the United Drug Co., from Boston, Mass., in various consignments, on or about January 16, 24, and 25, 1929, and had been transported from the State of Massachusetts into the State of New York, 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 salicylic acid, cinchona alkaloids, capsicum, and aloin.

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, appearing on the tin container, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Top of tin) "Grippe Pills * * * For La Grippe, and to allay the Irritation, Headache, General Depression and Fever, associated with Influenza;" (bottom of tin) "Grippe Pills * * * Directions. One or two pills (according to the severity of the symptoms), to be taken every two hours, until all fever and prostration have subsided. Continue with one pill three times daily for ten days, after apparently well."

On March 10, 1931, claim and answer having been withdrawn, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.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.*

17964. Misbranding of Prescription No. 3913. U. S. v. 5 9/12 Dozen Bottles of Prescription No. 3913. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25639. I. S. No. 5079. S. No. 3902.)

Examination of a sample of a drug product, known as Prescription No. 3913, from the herein-described interstate shipment having shown that the labeling bore 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 District of Massachusetts.

On January 9, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of five and nine-twelfths dozen bottles of Prescription No. 3913, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by C. H. Platt, from New York, N. Y., on or about December 8, 1930, and had been transported from the State of New York into the State of Massachusetts, 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 potassium iodide, extracts of plant drugs, sugars, alcohol, and water, flavored with sassafras oil.

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, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "For Sciatica, Muscular and Chronic Rheumatism. Successfully used since October 14th, 1892, in the treatment of Gout * * * For Sciatica and Muscular Rheumatism and in the treatment of Chronic Rheumatism and Gout. * * * had at that time been a sufferer from Chronic Rheumatism for more than ten years, and had given up hope of ever being relieved. He used the medicine with the most satisfactory results, a complete and permanent cure being effected * * * It is a Prescription that represents a combination of medicines so exact in proportion as to exert their curative powers in a remarkable degree in the various forms of Muscular and Chronic Rheumatism * * * Our earnest request to those who have been restored to health by its use, is that * * *