18196. Misbranding of Creta-Methyl. U. S. v. 10 Cans of Creta-Methyl. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26051. I. S. No. 16015. S. No. 4306.)

Examination of a drug product, known as Creta-Methyl, from the shipment herein described having shown that the label bore statements representing that the article possessed curative and therapeutic properties which it did not, the Secretary of Agriculture reported the matter to the United States attorney for the District of Maryland.

On March 19, 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 10 cans of Creta-Methyl, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Girard Pharmacal Co., from Philadelphia, Pa., on or about January 22, 1931, and had been transported from the State of Pennsylvania into the State of Maryland, and charging misbranding in violation of the food and drugs act as amended.

Chemical analysis of a sample of the article by this department showed that it consisted of methyl salicylate (0.8 per cent), petroleum oil, glycerin, and clay (65 per cent).

It was alleged in the libel that the article was misbranded in that the following statements appearing on the label, regarding the curative or 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: "Reducing All Forms of * * * Deep-Seated Inflammation by Local Depletion * * * Articular Rheumatism * * * Poisoned Wounds, Synovitis, Open Sores, Orchitis, Erysipelas, Chronic Ulcers, Dysmenorrhoea, Inflamed Breasts, Periostitis, Pelvic Inflammations, Pneumonia, Bronchitis, Pleurisy, * * * Tonsilitis, Osteitis, Tumors, * * * Peritonitis, Boils, Felons, Mumps, Buboes, in short, all conditions where interrupted circulation, congestion or induration exist."

On April 21, 1931, 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.*

18197. Misbranding of Brater's asthma powder. U. S. v. 11 Large-Sized Packages, et al., of Brater's Asthma Powder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26199. I. S. Nos. 27966, 27967, 29901, 29902, 29903. S. No. 4405.)

Examination of a drug product, known as Brater's asthma powder, having shown that the labels of the tin container and carton, and the accompanying circular bore statements representing that the article possessed curative and therapeutic properties which it did not, the following interstate shipments of a quantity of the product, located at Philadelphia, Pa., were reported to the United States attorney for the Eastern District of Pennsylvania.

On April 1, 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 11 large-sized, 2 dozen medium-sized, and 6 dozen small-sized packages of Brater's asthma powder, remaining in the original unbroken packages at Philadelphia, Pa., consigned by John K. Brater, New York, N. Y., alleging that the article had been shipped from New York, N. Y., in part on or about February 16, 1931, and in part on or about March 16, 1931, and had been transported from the State of New York into the State of Pennsylvania, 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 product consisted of ground stramonium leaves impregnated with potassium nitrate.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article, appearing in the labeling, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Tin container and carton) "Asthma Powder. * * * For Asthma, Hay Fever, Bronchitis and all diseases of the Throat and Lungs which affect the breathing;" (circular) "Asthma Powder * * * The Powder for burning is intended for immediate relief in Asthma."

On April 20, 1931, 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.*