

demnation of 21 boxes of Kelsey ichthyol suppositories, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Southport Chemical Co. (Inc.), New York, N. Y., alleging that the article had been shipped from New York, N. Y., on or about February 11, 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 it consisted essentially of cocoa butter in which was incorporated a drug containing ammonia and sulphur compounds.

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 it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "For Hemorrhoids and for Diseases of Women;" (circular) "Particularly efficacious in the following: Hemorrhoids, Fistula in Ano, Prostatitis, Leucorrhea, Vaginitis and Inflammations of the Vagina and Cervix."

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.*

18314. Misbranding of Pierre Cartier's medicine. U. S. v. 21 Cartons of Pierre Cartier's Medicine. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 26126. I. S. No. 15791. S. No. 4362.)

Examination of a drug product, known as Pierre Cartier's medicine, from the shipment herein described having shown that the bottle and carton labels and the accompanying circular contained statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Rhode Island.

On March 30, 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 21 cartons, each containing 1 dozen bottles of Pierre Cartier's medicine, remaining in the original unbroken packages at Providence, R. I., alleging that the article had been shipped by the Bay State Drug Co., from Palmer, Mass., on or about January 23, 1931, and had been transported from the State of Massachusetts into the State of Rhode Island, 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 an emulsion of cod-liver oil (23 per cent), alcohol (15 per cent), invert sugar (37 per cent), water, and gum.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects, appearing in the labeling, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle) "A Strength and Nerve Builder;" (carton) "A Strength and Nerve Builder * * * For Coughs * * * Croup, Asthma, Bronchitis, Whooping Cough and Throat and Lung Troubles * * * [back panel] recommended for the treatment of Coughs, * * * Bronchitis, Asthma and other Pulmonary Ailments * * * [side panel] Relieves Coughs * * * Builds Strength and Nerves;" (circular) "It is a respiratory food, revives wasted tissue and supplies nerve energy. It is used by the Medical Profession in prescribing for General Debility, Catarrhal and Bronchial affections. It repairs and builds up body tissue and makes strength, thus preventing disease and restoring strength lost through sickness. * * * may be used as a safe remedy against any * * * coughs or pulmonary diseases. It is especially beneficial as a nerve tonic and strength builder. It furnishes food and nourishment to the blood and thus makes strength."

On April 20, 1931, the Bay State Drug Co., Palmer, Mass., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*