

**18476. Misbranding of Eucaline tonic compound, regular, and Eucaline tonic compound, tasteless. U. S. v. 65/6 Dozen Bottles of Eucaline (Regular Form) and Eucaline (Tasteless), et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 26035, 26037. I. S. Nos. 23982, 23983, 23987, 23989. S. Nos. 4292, 4294.)**

Examination of the above-described drug products showed that the labels bore claims of curative effects in certain diseases for which cinchona derivatives are customarily prescribed, and that the product contained insufficient cinchona alkaloids, or their salts, to cure such ailments when administered according to the accompanying directions; also that the labels bore claims of curative effects in certain other ailments which were not justified by the composition of the articles. The Eucaline tonic compound, tasteless, was labeled "Free from Dangerous Medicine," whereas it contained acetanilid, a heart depressant, which might be dangerous.

On March 23 and March 26, 1931, the United States attorney for the Western District of Oklahoma, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of a total of 16 $\frac{3}{4}$  dozen bottles of certain drug products, a portion known as Eucaline tonic compound, regular, and the remainder known as Eucaline tonic compound, tasteless, at Oklahoma City, Okla., consigned by the Eucaline Medicine Co., Dallas, Tex., alleging that the articles had been shipped in interstate commerce from Dallas, Tex., into the State of Oklahoma, in part on or about September 24, 1930, and in part on or about October 1, 1930, and charging misbranding in violation of the food and drugs act as amended. The Eucaline (regular) was labeled in part: (Carton) "An excellent remedy for Malaria, Chills and Fever, Dumb Chills, Enlarged Spleen, \* \* \* etc. And as an Antimalarial \* \* \* Tonic for general debility, caused by Malaria weakening the blood and system, \* \* \*. Is a combination of Liver, Blood and Anti-Malarial Properties. It readily relieves Fever and Chills after other remedies have failed. \* \* \* Great for Chills and Fevers. A fine Blood and Liver Tonic." The Eucaline (tasteless) was labeled in part: (Carton) "An Improved Remedy for Chills, Fevers and General Malarial Sickness. \* \* \* Is a most excellent remedy in cases of La Grippe \* \* \* Acts Mildly on the Liver and \* \* \* can be relied upon as a fine general Restorative Tonic and safe family remedy. \* \* \* It is a \* \* \* Remedy for Malaria, Chills, Fever and La Grippe."

Analyses of samples of the articles by this department showed that the Eucaline tonic compound, regular, consisted essentially of hydrochlorides of cinchona alkaloids (quinidine and cinchonidine, 1.2 gm. per 100 c. c., equivalent to 5.47 gr. per fluid ounce), ferric chloride (0.38 gm. per 100 c. c.), extracts of laxative plant drugs, a trace of eucalyptus oil, alcohol, sugar, and water; and that the Eucaline tonic compound, tasteless, consisted essentially of a suspension of cinchona alkaloids (quinidine and cinchonidine, 1.06 gm. per 100 c. c., equivalent to 4.84 gr. per fluid ounce), acetanilid (2.9 gr. per fluid ounce), a trace of eucalyptus oil, alcohol, sugar, and water.

It was alleged in substance in the libels that the articles were misbranded in that the above-quoted statements on the carton labels, together with similar statements appearing in foreign languages, regarding the curative or therapeutic effects of the said articles, and the statements appearing in the accompanying circular, namely, "For Malaria, Chills and Fever. For \* \* \* what is termed LaGrippe in our Southern country," were false and fraudulent, since the articles contained no ingredients or combinations of ingredients capable of producing the effects claimed. Misbranding was alleged with respect to the Eucaline tonic compound, tasteless, for the further reason that the statement on the carton, "Free from Dangerous Medicine," was false and misleading when applied to a product containing acetanilid.

On May 26, 1931, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18477. Misbranding of Gilbert's oral antiseptic. U. S. v. 65 Bottles of Gilbert's Oral Antiseptic. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26042. I. S. No. 15793. S. No. 4316.)**

Examination of a drug product, known as Gilbert's oral antiseptic, from the shipment herein described showed that the bottle and carton labels and accompanying circular bore statements representing that the article possessed