

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 on the carton and bottle labels and in the circular, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "For Rheumatic Pains, Neuralgia, Sore Throat and Quinsy, Headache (Nervous) \* \* \* Backache, \* \* \* Lameness, Chilblains, \* \* \* It is good for Rheumatism, Lumbago, Neuralgia, Colic and Cramps, Headache, Earache, Cold in the Chest and Lungs, \* \* \* Gout, Sore Throat, \* \* \* Aching Feet, Inflammation \* \* \* A pain killer that will relieve these afflictions is an absolute necessity to everybody. It is the best safeguard against suffering from Accidents \* \* \* If after using it a few times the pains are still lingering, apply to the affected part a cloth wrung out in hot water and afterwards the Liniment is applied until relief is experienced;" (bottle label) "For \* \* \* Rheumatism, Neuralgia, Headache, Backache \* \* \* Lameness, Bunions, Chilblains, Colic And All Bodily Pains, \* \* \* This Liniment is used for strengthening weak back or limbs, and healing bodily pains and inflammations. \* \* \* In protracted pain a cloth moistened with the Liniment may be applied until relief is experienced;" (circular) "For Rheumatic and other pains in the joints, lower limbs or hips, apply Jones' Liniment \* \* \* Apply a cloth saturated with the Liniment to reduce inflammation and swelling. \* \* \* For Backache, pains in the sides, shoulders, stiff neck and joints, apply the Liniment, \* \* \* For Neuralgia in the head, keep the temples bound up with a linen cloth saturated with Jones' Liniment, and apply it to the back of the neck and ears. \* \* \* For Nervous Headache, apply Jones' Liniment to the forehead, back of the neck, behind the ears, and inhale the fumes. For Sciatica, \* \* \* For Sore Throat And Quinsy \* \* \* For Earache, \* \* \* For \* \* \* Swellings \* \* \* For Pains in Chest And Lungs \* \* \* For Bunions \* \* \* For Corns \* \* \* For \* \* \* Weak Joints And Ankles, \* \* \* For Colic, Cramps, Cholera Morbus and other internal pains \* \* \* swellings, cracked heels \* \* \* scratches, cramps or contraction of the muscles, sore throat, colic, distemper, epizootic \* \* \* and other diseases that can be reached by external application \* \* \* For The Flu, Cough \* \* \* Bronchitis \* \* \* will \* \* \* relieve \* \* \* catarrhal conditions."

On June 26, 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.*

**18686. Misbranding of Mackie's pine oil. U. S. v. 72 Bottles of Mackie's Pine Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26327. I. S. No. 29929. S. No. 4645.)**

Examination of the composition and labeling of the drug product Mackie's pine oil from the shipment herein described having shown that the labeling represented that the article possessed curative, therapeutic, and germicidal properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Pennsylvania.

On May 4, 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 72 bottles of the said Mackie's pine oil, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Johnston-Mackie Co. (Inc.), New Orleans, La., alleging that the article had been shipped from New Orleans, La., on or about February 7, 1931, and had been transported from the State of Louisiana 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 a coniferous oil. Bacteriological examination showed that the article would not kill *Staphylococcus aureus* within one hour.

It was alleged in the libel that the article was misbranded in that the following statements on the labeling were false and misleading: (Carton) "Germicidal \* \* \* put a few drops in half a glass of water and snuff up the nose every three or four hours; saturate a cloth and inhale odor through nose and mouth, leaving cloth on pillow or hung so as to inhale while asleep. \* \* \* Germicidal;" (circular) "Germicidal \* \* \* It is a scientific and thoroughly modern germicide, \* \* \* Takes the Place of Dangerous Germicides;" (bottle) "A teaspoonful in the water gives a cleansing and antiseptic bath."