

Analysis of a sample of the article by this department showed that it consisted essentially of volatile oils (11.8 per cent) including menthol, camphor, and methyl salicylate, boric acid (0.5 per cent), gummy material such as Irish moss (22.1 per cent), and water (65.6 per cent).

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: (Tube label) "For the relief of Headache, Neuralgia, Rheumatism, Lumbago, Laryngitis, Sore Throat, and other conditions requiring the use of a local anodyne. Directions— \* \* \* If relief is not obtained in half an hour, repeat the application;" (carton) "For the relief of Headache, Neuralgia, Rheumatism, Lumbago, Laryngitis, Sore Throat, and other conditions requiring the use of a local anodyne. Directions— \* \* \* If relief is not obtained in half an hour, repeat the application, after washing the part again with warm or tepid water;" (circular) "With the peculiar, anti-rheumatic potency of methyl salicylate. \* \* \* being a thing the effectiveness of which can be more readily demonstrated than described, will demonstrate its value as a local anodyne by even the most casual test in certain types of headache, neuralgia, lumbago, sciatica, myalgia, rheumatism, sprains, and other conditions characterized by local nerve irritation. Directions For Use: Without attempting to explain how or why, it is a fact amply proven by experience that many headaches, particularly those commonly designated as 'sick headaches,' can be quickly relieved by \* \* \* Neuralgia In neuralgia \* \* \* should be well rubbed in, \* \* \* along the course of the affected nerve to its point of origin. Rheumatism In rheumatism, sciatica and lumbago. In the muscular variety, particularly of rheumatism, \* \* \* has proven highly efficacious. It \* \* \* Sore Throat, Laryngitis In sore throat and in laryngitis, rub \* \* \* into the front, sides and back of the neck."

On October 29, 1931, Johnson & Johnson, New Brunswick, N. J., claimant, having admitted the allegations of the libel 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 \$100. The bond was conditioned that the article might be relabeled so that it comply with the Federal food and drugs act, otherwise that it be destroyed. The claimant having so elected, the product was destroyed under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19168. Misbranding of Chologestin. U. S. v. 29 Packages of Chologestin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27638. I. S. No. 38988. S. No. 5646.)**

Examination of a drug product, known as Chologestin, from the shipment herein described having shown that the labeling bore 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 Massachusetts.

On January 6, 1932, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 29 packages of Chologestin, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the F. H. Strong Co., from New York, N. Y., on or about November 18, 1931, 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 contained in 100 milliliters: 1.3 grams of sodium salicylate, 2.2 grams of sodium bicarbonate, 2.3 grams of sodium sulphate, bilt salts, alcohol (13.7 per cent by volume), and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the article appearing in the labeling, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle) "Chologestin (Digestive \* \* \* ) \* \* \* for the treatment of Intestinal Dyspepsia and Gaseous Indigestion, with Fermentation or Putrefaction of the contents of the intestine, \* \* \* and Abdominal Dis-

comfort. \* \* \* to prevent and relieve the Intestinal Auto-Intoxication due to the absorption into the blood of the poisonous products of Intestinal Fermentation or Putrefaction. Chologestin stimulates the Inactive or Torpid Liver and thus aids in the relief of the condition ordinarily known as 'Biliousness.' \* \* \* of value for the relief of inflammatory and catarrhal conditions of the gall bladder and bile tract, \* \* \* It tends to prevent the formation of Gall Stone, and to hasten their passage when present. It thus aids in the prevention of Gall Stone Colic. Chologestin tends to prevent Migraine or 'Sick Headache' and the generally drowsy and depressed condition due to the absorption of the poisonous products of imperfect digestion from the intestinal canal. It is also of value in Chronic Rheumatic and Gouty conditions in which natural stimulation of the liver is required," (carton) "Chologestin (Digestive \* \* \* );" (circular) "Chologestin \* \* \* Chologestin is a \* \* \* combination of remedies exercising \* \* \* antiseptic and digestive properties. It encourages and stimulates the action of the liver, increases the formation and flow of healthy bile, acts as an intestinal antiseptic and assists in the digestion of the various foods. \* \* \* for the treatment of Intestinal Dyspepsia and Gaseous Indigestion, with Fermentation or Putrefaction of the contents of the intestine, resulting in \* \* \* Abdominal Discomfort. Chologestin also tends to prevent and relieve the Intestinal Auto-Intoxication \* \* \* It stimulates the Inactive or Torpid Liver \* \* \* helps to overcome the constipated habit or irregular bowel action due to this cause. It thus tends to relieve the condition commonly known as 'Biliousness.' Chologestin \* \* \* of value in relieving inflammatory and catarrhal conditions of the gall bladder and bile tract (cholecystitis, cholangitis, etc.) \* \* \* It tends to prevent the formation of stones in the gall bladder and, by increasing the flow of bile and thinning it in consistency, to hasten the passage of stones when present. It thus aids in preventing attacks of Gall Stone Colic. Chologestin, by reason of its \* \* \* antiseptic and digestive actions, aids in the prevention of Chronic Toxemic Headaches, the so-called Migraine or 'Sick Headache' and the generally drowsy and depressed condition due to the absorption of the poisonous products of imperfect digestion from the intestinal canal. Chologestin is also of value, in the treatment of the more or less Chronic Rheumatic and Gouty Conditions in which a natural stimulation of the liver is required. \* \* \* it can be safely taken by Diabetic patients. Chologestin \* \* \* tends to regulate bowel action by stimulating the liver."

On February 8, 1932, 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.*

**19169. Misbranding of Lambert's powders. U. S. v. 122 Small and 122 Large Boxes of Lambert's Powders. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27233. I. S. No. 44870. S. No. 5403.**

The drug product Lambert's powders involved in the shipment herein described contained acetanilid, and the labels failed to bear a statement of the quantity or proportion of acetanilid contained in the article. Examination also showed that the carton and envelope labels bore unwarranted curative and therapeutic claims.

On November 11, 1931, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 122 small and 122 large boxes of Lambert's powders, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by Lambert's (Inc.), from Minneapolis, Minn., on or about April 18, 1931, and had been transported from the State of Minnesota into the State of Wisconsin, 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 acetylsalicylic acid (6.8 grains per powder) and acetanilid (2.3 grains per powder).

It was alleged in the libel that the article was misbranded in that the labeling on the individual envelopes failed to bear a declaration of the quantity or proportion of acetanilid contained in the article. Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the said article were false and fraudulent, since it con-