

19488. Misbranding of Munyon's Paw-Paw tonic. U. S. v. 102 Bottles of Munyon's Paw-Paw Tonic. Default decree of destruction entered. (F. & D. No. 27336. I. S. No. 47082. S. No. 5443.)

Examination of a drug product, known as Munyon's Paw-Paw tonic, from the shipment herein described having disclosed no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed for it in the labeling, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Mississippi.

On December 8, 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 102 bottles of the said Munyon's Paw-Paw tonic, remaining in the original unbroken packages at Vicksburg, Miss., alleging that the article had been shipped by the McKesson Lincoln Co., from Little Rock, Ark., on or about June 10, 1930, and had been transported from the State of Arkansas into the State of Mississippi, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of Paw-Paw tonic by this department showed that the article contained extracts of plant drugs including nux vomica, a minute proportion of an iron compound (17 per cent by volume of alcohol), and water, flavored with methyl salicylate and saffras oil.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the carton and bottle labels, 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: (Bottle) "For Indigestion, Nervousness, Loss of Vitality, * * * And for the enrichment of impoverished blood where paleness is a condition, and giving energy to the overworked and run down;" (carton) "For Dyspepsia, Indigestion, Liver and Nerve Troubles, Dizziness, Poor Circulation, Loss of Vitality, Sleeplessness, Nervousness, * * * Weakness, General Debility. * * * Ironizes The Blood For the Liver For The Nerves * * * prepared for toning the stomach, liver and nerves, * * * If you are overworked, weak, run down, * * * feel 'old,' blood is thin, heart weak, can't sleep; if your liver or stomach is out of order; if you are depressed, and feel the need of new life, try Munyon's Paw-Paw Tonic. * * * For Body Strength For The Stomach * * * For Mental Force."

On May 17, 1932, no claimant having appeared for the property, judgment was entered finding the product subject to condemnation, and ordering that it be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19489. Misbranding of Re-Ju-Va. U. S. v. 120 Packages of Re-Ju-Va. Default decree of destruction entered. (2552-A. F. & D. No. 28281.)

The labeling of the drug product Re-Ju-Va involved in this action represented that the article might be administered with safety to all, including babies, and that it contained no cathartic, whereas examination showed that it contained a cathartic that might be harmful. Examination further showed no ingredient or combination of ingredients capable of producing the curative and therapeutic claims appearing in the labeling.

On May 5, 1932, the United States attorney for the District of Minnesota, 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 120 packages of Re-Ju-Va, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the DeVore Manufacturing Co., from Columbus, Ohio, on or about March 19, 1932, and had been transported from the State of Ohio into the State of Minnesota, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of Re-Ju-Va by this department showed that it consisted essentially of Epsom salt (22.67 grams per 100 milliliters), small proportions of potassium, sodium, and iron compounds including chloride, citrate and hypophosphite, glycerin, and water, flavored with peppermint oil and colored red with a coal-tar dye.

It was alleged in the libel that the article was misbranded in that the statements appearing upon and within the packages containing the article were false, fraudulent, and misleading in that it was made to appear by said state-