

19494. Adulteration and misbranding of tincture aconite. U. S. v. Five 4-ounce Bottles of Tincture Aconite U. S. P. X. Standard. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27792. I. S. No. 38192. S. No. 5887.)

The tincture aconite in the shipment involved in this action was represented to be of pharmacopoeial standard. Samples examined were found to possess a potency of less than two-thirds of that required by the United States Pharmacopoeia, tenth revision, for tincture of aconite.

On March 7, 1932, the United States attorney for the Southern District of New York, 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 five 4-ounce bottles of the said tincture aconite at New York, N. Y., alleging that the article had been shipped by Sharp & Dohme (Inc.), from Philadelphia, Pa., on or about February 4, 1932, and had been transported from the State of Pennsylvania into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Tincture Aconite U. S. P. X. Standard."

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength as determined by the test laid down in the said pharmacopoeia, in that it had a potency of less than two-thirds of that required by said standard.

Misbranding was alleged for the reason that the statements on the label, "Tincture Aconite U. S. P. X. Standard (Tinctura Aconiti) * * * biologically standardized," were false and misleading.

On April 1, 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.*

19495. Misbranding of Admirine. U. S. v. 12 Dozen Bottles of Admirine. Default decree of destruction entered. (F. & D. No. 27316. I. S. No. 47081. S. No. 5439.)

Examination of a drug product, known as Admirine, showed that the article was recommended as a treatment for certain ailments for which cinchona derivatives are customarily prescribed and that cinchona derivatives were not present in the article in sufficient amount to constitute an adequate treatment for such ailments when used according to the dosage recommended under the heading on the bottle label, "To Stop Chills and Fever." The labeling of the article contained further unwarranted curative and therapeutic claims.

On December 1, 1931, the United States attorney for the Southern District of Mississippi, 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 12 dozen bottles of the said Admirine, remaining in the original unbroken packages at Vicksburg, Miss., alleging that the article had been shipped by Kolb Bros. Drug Co., from Paducah, Ky., on or about January 19, 1931, and had been transported from the State of Kentucky into the State of Mississippi, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of Admirine by this department showed that the article consisted essentially of the hydrochlorides of cinchona alkaloids (quinidine and cinchonidine, 1.37 grams per 100 milliliters), ferric chloride (0.4 gram per 100 milliliters), extract of a laxative plant drug, a trace of eucalyptus oil, alcohol, sugar, and water.

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: (Carton) "The 'Body Builder' * * * Blood Medicine * * * The Body Builder Is recommended to * * * stimulate the Liver and Kidneys to action. * * * Purifies the blood, destroys Malaria, stops Chills and Fever quickly and restores vitality to the weakened body. * * * The 'Body Builder' * * * Blood Medicine For Tired Feeling, Sluggish Liver, Enlarged Spleen, * * * Dizziness, * * * Belching of Gas, Sour Stomach, Weakness, Tired, Lazy Feeling, * * * Indigestion, Foul Breath, Coated Tongue, Liver Spots, Nervousness, Sallow Skin, Melancholia, Pimples, Chronic Chills or Ordinary Chills, Periodical Fevers and the different forms

of Blood troubles that are caused by Malaria Poisoning. It is an exceptionally good tonic for females in cases that are peculiar to their sex. * * * Digestant * * * Nerve Tonic * * * The Body Builder;" (bottle) "'The Body Builder' * * * As a tonic for the blood and general System. * * * To stop Chills and Fever * * * a Blood Medicine and Restorative Tonic."

On May 17, 1932, no claimant having appeared for the property, a decree was entered by the court adjudging that the product should be condemned and ordering that it be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19496. Misbranding of Servex. U. S. v. 12 Sets of Servex. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27295. I. S. No. 12653. S. No. 5456.)

Examination of samples of a drug product, known as Servex, disclosed no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed on the carton label and in the accompanying circular.

On November 28, 1931, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court for the district aforesaid a libel praying seizure and condemnation of 12 sets of the said Servex, remaining in the original unbroken packages at Portland, Oreg., alleging that the aforesaid article had been shipped by the Servex Laboratories (Ltd.), from Hollywood, Calif., on or about September 5, 1931, and had been transported from the State of California into the State of Oregon, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of Servex by this department showed that the article consisted essentially of oxyquinoline sulphate, quinine sulphate, and boric acid.

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 were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton label) "Use Servex before retiring for treatment of Leucorrhoea and other vaginal infections;" (circular) "Your Health Madam! Do you know a woman who is suffering from leucorrhoea or other pelvic disorders, or who is gambling her health by using poisons for her personal hygiene needs? Tell her about Servex. * * * Relief of Pelvic Congestion Did you know that three out of every four women suffer from various degrees of pelvic congestion. This congestion causes that feeling of weight and discomfort, drains vitality, upsets the nervous system, and prepares the way for serious disorders. Servex * * * relieves congestion and frequently removes the causes which would necessitate long and painful treatments by physicians. Leucorrhoea Perhaps you have used Servex for the treatment of leucorrhoea. If so, you know that it is particularly effective for this as for other pelvic disorders. Recommend Servex to a friend who is troubled with leucorrhoea and you will doubly bind that friendship by so doing. * * * 'We have observed the action from the use of Servex the last three years and can highly recommend it in all vaginal disorders as well as for prophylactic purposes.' * * * 'A safe, sanitary measure for combating the usual infectious conditions of the vaginal area. It is decidedly one of the most pleasant methods of applying an antiseptic in pelvic regions, as well as efficacious.' 'During the past year I have used Servex continually in the office on vaginal infections. Am gratified to say that the results have been uniformly satisfactory.'"

On May 6, 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.*

19497. Misbranding of Meyer's Mount Clemens aperient water. U. S. v. 4 Dozen Bottles of Meyer's Mount Clemens Aperient Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 28268. I. S. No. 43061. S. No. 6141.)

Examination of a drug product, known as Meyer's Mount Clemens aperient water, from the shipment herein described disclosed no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed for it on the bottle label.

On April 30, 1932, the United States attorney for the Eastern District of Pennsylvania, 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