

probably the most abused organ. Food sent into the stomach from the mouth without being properly chewed gives the stomach much trouble in passing it on. The intestines become clogged with waste matter and the sour bile empties into the stomach instead of flowing into the intestines. Stomach conditions should be treated at once. Much pain and misery can thus be avoided. Gento."

On February 12, 1932, the Gento Laboratories, Philadelphia, Pa., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered. The court, having made a finding that the product was misbranded but that it might be relabeled in such manner as to render it not in violation of the law, ordered that it be released to the claimant upon payment of the costs and the execution of a bond in the sum of \$500, conditioned in part that it should not be sold or otherwise disposed of contrary to the Federal food and drugs act, or the laws of any State, Territory, District, or insular possession.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19501. Adulteration and misbranding of Dr. Davis' Rheumagon. U. S. v. 19 Packages of Dr. Davis' Rheumagon. Default decree of condemnation and destruction. (F. & D. No. 27819. I. S. No. 43220. S. No. 5913.)

Examination of Dr. Davis' Rheumagon showed that the article contained a smaller amount of acetphenetidin than labeled; that the acetphenetidin declaration was made on the label inconspicuously and in small type; that the fact that acetphenetidin is a derivative of acetanilid was not clearly indicated; and that the label contained unwarranted curative and therapeutic claims for the article.

On March 8, 1932, the United States attorney for the Western 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 seizure and condemnation of 19 packages of the said Dr. Davis' Rheumagon, remaining in the original packages at Pittsburgh, Pa., alleging that the article had been shipped by the Rheumagon Sales Co., from Wheeling, W. Va., on or about January 11, 1932, and had been transported from the State of West Virginia into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Examination of a sample of the article by this department showed that it consisted of capsules, each containing acetylsalicylic acid (8 grains), acetphenetidin (1.21 grains), caffeine (0.21 grain), and starch.

It was alleged in the libel that the article was adulterated in that it was sold under its own standard of strength, namely, (retail package) "Each capsule contains 1½ gr. acetphenetidin," and the strength of the said article fell below such professed standard in that it contained a less amount of acetphenetidin.

Misbranding was alleged for the reason that the statement on the label "Each capsule contains 1½ gr. acetphenetidin," was false and misleading. Misbranding was alleged for the further reason that the label failed to bear a statement of the quantity or proportion of acetphenetidin contained in the article since the declaration "Each capsule contains 1½ gr. acetphenetidin (acetanilid d.)" was not correct, appeared inconspicuously in small type on the package, and did not clearly indicate that acetphenetidin is a derivative of acetanilid. Misbranding was alleged for the further reason that the following statements appearing in the labeling, 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: (Display carton) "Rheumagon * * * An Ideal Remedy for the Relief of Neuritis, Rheumatism, Lumbago and Pain in General;" (tin container) "Rheumagon * * * An Ideal Remedy for the Relief of Neuritis, Rheumatism, Lumbago, and Pain in General * * * Rheumagon * * * Neuritis and Rheumatism;" (sticker) "For Satisfactory Results We Recommend a Course of Treatment of Three to Five Boxes * * * Rheumagon;" (diet slip) "Diet Slip in Chronic Rheumatism and Neuritis. [Testimonials] "Rheumagon: '* * * I was afflicted with Neuritis * * * and after taking a few boxes I have never had a severe attack of Neuritis. I am practically cured. Unlike most medicine for Neuritis and Rheumatism there is no unpleasant after effect, as it has no effect on the stomach nor on the heart action. * * * recommend it to all those who are suffering from Neuritis or Rheumatism.' '* * * medicinae works wonders. * * * Rheumagon * * * a wonderful remedy * * * One of

the pilots was all crippled up in the legs, * * * I gave him several of these capsules and in two days he was hopping around like a kid. * * * recommend this wonderful medicine to all sufferers of Neuritis or Rheumatism.' * * * 'Rheumagon * * * Rheumagon is the stuff. * * * my feet played out on me, * * * one knee got sore, * * * got so bad I could hardly drag around. Mr. Smith gave me the medicine he got from you * * * was greatly surprised how quick I began to improve. I soon got to walking around and the pain and soreness all left my hands and shoulders and I am much better. * * * thanks to your Rheumagon * * * Go as far as you like on my say for your Rheumagon as it surely will help rheumatic sufferers.' * * * 'Rheumagon * * * Remedy for Rheumatism.' * * * 'Rheumagon * * * Dr. Davis' Rheumatism Medicine.'"

On April 7, 1932, no claimant having appeared for the property, the court found that the allegations of the libel were true, judgment of condemnation was entered and it was ordered that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19502. Misbranding of Pyro-Sana tooth paste. U. S. v. 11½ Dozen Tubes of Pyro-Sana Tooth Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27943. I. S. No. 52248. S. No. 5994.)

Examination of samples of Pyro-Sana tooth paste from the shipment herein described disclosed no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed on the carton and tube labels and in an accompanying circular.

On March 26, 1932, the United States attorney for the Northern District of Indiana, 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 11½ dozen tubes of Pyro-Sana tooth paste, remaining in the original unbroken packages at Fort Wayne, Ind., alleging that the article had been shipped on or about February 13, 1930, by the Alhosan Chemical Co., from St. Louis, Mo., and had been transported from the State of Missouri into the State of Indiana, 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 calcium carbonate, glycerin, and a small proportion of creosote.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and 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: (Carton and tube) "Prevents Pyorrhoea, Preserves the Gums * * * A proven medicinal agent in checking and controlling Pyorrhoea, relieving and preventing soft bleeding gums, preventing receding gums, making them hard and firm * * * A Healthy Mouth is a Good Foundation:" (circular) "Pyro-Sana Toothpaste will check pyorrhoea, make the gums hard and firm, relieve and prevent soft bleeding gums and maintain a vigorous and healthy mouth."

On May 13, 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.*

19503. Misbranding of Dr. Alexander's Lung Healer. U. S. v. 9½ Dozen Bottles of Dr. Alexander's Lung Healer. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25959. I. S. No. 20170. S. No. 4207.)

Examination of a drug product, known as Dr. Alexander's Lung Healer, 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 and carton labels.

On March 2, 1931, the United States attorney for the Northern 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 nine and seven-twelfths dozen bottles of the said Dr. Alexander's Lung Healer at Binghamton, N. Y., alleging that the article had been shipped by the Valley Drug Co., Wilkes Barre, Pa., on or about January 13,