

were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed: (Bottle) "Rheumatic Compound \* \* \* Rheumatism \* \* \* Direction: \* \* \* until it acts freely on the Liver, then reduce dose to suit the system if according to directions it acts too freely;" (carton) "Rheumatic Compound for Rheumatism;" (circular) "Rheumatic Compound. We recommend it for Rheumatism. If you have Rheumatism use \* \* \* Rheumatic Compound. This medicine has been tested for years, and the praise which it has received from the trade, and the good results of its use by sufferers from the disease of Rheumatism cause us, the manufacturers, to unhesitatingly recommend it. We believe we have made it as perfect a preparation for the relief of Rheumatism as it is possible for us to do."

On June 17, 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.*

**19514. Adulteration and misbranding of granulated malva leaves. U. S. v. Approximately One-Half Barrel of Granulated Malva Leaves. Default decree of destruction entered. (F. & D. No. 27942. I. S. No. 53535. S. No. 5990.)**

Analysis of a sample of a product, represented to be granulated malva leaves, from the shipment herein described showed that the product did not consist solely of malva leaves, since it contained 0.078 per cent of alkaloid including atropine, indicating that it consisted in part of a mydriatic drug such as belladonna.

On or about March 23, 1932, the United States attorney for the Southern District of Ohio, 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 approximately one-half barrel of granulated malva leaves at Columbus, Ohio, alleging that the article had been shipped by S. B. Penick & Co., Weehawken, N. J., on or about May 19, 1931, and had been transported from the State of New Jersey into the State of Ohio, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, viz, "Malva Leaves," since it did not consist solely of malva leaves, but contained a mydriatic drug.

Misbranding was alleged for the reason that the statement "Malva Leaves," appearing in the labeling, was false and misleading when applied to an article that did not consist solely of malva leaves.

On May 10, 1932, no claimant having appeared for the property, judgment was entered finding that the product was adulterated and misbranded and liable to condemnation, and ordering that it be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19515. Misbranding of Brooten's Kelpor. U. S. v. Pleas A. Tucker. Plea of guilty. Fine, \$25. (F. & D. No. 27508. I. S. Nos. 22269, 22270.)**

This action involved two interstate shipments of a drug product, known as Brooten's Kelpor, the labeling of which bore statements representing that it possessed curative and therapeutic properties which examination showed it did not possess. The article was represented to be a natural food, whereas it had no food value.

On March 17, 1932, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against Pleas A. Tucker, Portland, Oreg., alleging shipment by said defendant in violation of the food and drugs act, as amended, on or about September 6, 1930, and March 14, 1931, from the State of Oregon into the State of Washington, of quantities of the said Brooten's Kelpor which was misbranded.

Analysis of a sample of the article by this department showed that it consisted essentially of mineral matter, chiefly aluminum silicate and iron oxide, with small proportions of other iron and magnesium compounds including sulphates and phosphates, and traces of calcium compounds and sulphur.