

softening of the brain, gangrene of the extremities, tumors of degenerescence (cancer), certain inflammatory conditions of the mucous membranes (angina, spasmodic coughing), chillblains, seborrhea, indigestion, bleeding from nose, stiff neck, enteritis, irritability and instability of the blood circulation (palpitations, flushing of the face, irregular pulse), itching, precocious obesity with flabbiness of the flesh, cold hands and feet, disturbed sleep, nocturnal terror, laziness, inertia, neurosis, St. Vitus dance, hair falling out prematurely, excessive functioning of the skin peculiarly sensitive at the folds, atony of stomach and intestines, fermentations, flatulency, distention, constipation, alternating with muco-membranous discharges, congestive conditions of liver, hemorrhoids, varicose veins, turbid urine, and a more or less constant nervous condition, auto-toxaemias (cholaemia), shaking off hereditary taint, the reaction of each organ of the body to uric acid, an unhealthy condition of the liver, biliary inadequacy or calculosis, functional disorders of the liver, digestive disturbances due to uric acid, jaundice, erratic pains, neuro-arthritis, morbid hybridity, nervous symptoms, mental and physical degenerescence, disorganizations of stomach (ptosis), nervous exhaustion (phobias, manias), general weakness, scrofulo-tuberculous offspring, typical physiological wreck, undefined ailments, defective nutrition, melancholia, swollen, inflamed, and very painful big toe, urates in the joints, swelling of the joints, numb and lingering, spreading to knees, hands, and shoulders, joints deformed by the tophi (concretions of sodium urate), visceral or internal transformation of the articular or external form of gout, abdominal tension, acid repeatings, sallow complexion, alternating diarrhea and constipation, abnormal hunger, lack of appetite, depression, irritability, oppression, bladder trouble, gout affecting all organs, heart, lungs, nervous system and sensory organs, spreading to the entire nutritive process, conjunctivitis, iritis, otitis, bronchial catarrh, phlebitis, etc., normally eliminating uric acid, modifying the diathesis and preventing recurrence of gout, limiting the manufacture of uric acid, preventing its accumulation and insuring its elimination via kidneys, gout in all its forms, conferring immunity, overcoming inflammatory swellings, preventing blood and organs from being poisoned, procuring disappearance of tophaceous deposits in the feet, hands, and ears, oxidizing cholestrin, preventing obesity by burning up the fat, regulating sugar-fixing functions of the liver, decongesting the kidneys by eliminating gravel and sand, preventing degenerescence of these organs, suppurative inflammation of the small tubules (calculous pyelonephritis), insuring asepsis and limpid sterilization of toxic and turbid urine, lesions of the circulatory system, tertiary accidents or complications, relieving many other evils of gouty origin, loss of teeth due to alveolar periostitis, intractible coryza, recurring angina, granulations of the throat and larynx, gastritis and dilation of the stomach, emphysema, rheumatismal pleurisy, congestion of lungs (often mistaken for tuberculosis), affecting the eyes, ears, nerves, etc., slackening of nutrition, errors in diet and hygiene, dull pains in the region of the kidneys, discomfort in lower abdomen, evacuating red sand and oxalic concretions, tearing of the infinitely small tubules by sharp gravel procuring slow passage of gravel with mucous, agonizing and intolerable pain with vomiting, breaking up the sand, preventing formation of stone clearing the urine, lumbar pains, rheumatism settling in joints, overstrain, weakening resistance of certain joints.

On November 15, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20367. Misbranding of Fem. U.S. v. 18 Bottles of Fem. Default decree of forfeiture and destruction. (F. & D. no. 28370. I.S. no. 52633. S. no. 6055.)

Examination of the drug preparation involved in this case disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the bottle and carton labels, and in a circular shipped with the article. It was labeled in part: "Made in the Laboratories of J. S. Merrell Drug Co. * * * St. Louis, Mo."

On June 6, 1932, the United States attorney for the Western District of Arkansas, 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 18 bottles of Fem, remaining in the original unbroken packages at Fort Smith, Ark., alleging that the article had been shipped in interstate commerce on or about January 30, 1932, by the McKesson Merrell

Drug Co., from St. Louis, Mo., to Fort Smith, Ark., 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 extracts of plant drugs, including a laxative drug, such as senna, a small proportion of salicylic acid, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative and therapeutic effects of the said article, were false and fraudulent: (Bottle) "Fem Tonic * * * Recommended for Non-Surgical Cases where it is desired to Tone and Strengthen The Female Organs. Correct the conditions commonly known as Painful and Irregular Menstruation and a palliative for the distress accompanying Menopause (change in life) * * * Beneficial During Pregnancy * * * Fem Tonic For Women * * * Merrell's Female Tonic * * * Beneficial During Pregnancy"; (circular) "Fem Tonic * * * for Ills Peculiar to Womankind Fem Tonic for Women * * * contains ingredients recognized by the medical profession for their tonic and strengthening effect upon the female organs. * * * For Women * * * Female Weakness and may be depended upon to produce blessed relief and benefit in even those cases which nothing else seems to reach. It builds up, tones and strengthens the delicate female organs, promoting healthy, vigorous, and harmonious activity and helps regulate and functions. It is, therefore, a most dependable internal medicine. For Painful Menstruation including delayed, profuse, scanty and irregular periods: also for the distressing symptoms which accompany the menopause or change of life. Relieves leucorrhœa (whites). During Pregnancy * * * for Women—is not only a safe and dependable medicine but one which will do much toward building up the generative organs, lessening the pains of labor and hastening recuperation after childbirth. For Girls and Young Women who are anemic, weak, nervous, irregular, Fem Tonic for Women—is a blessing. Its strength-building properties which exert a beneficial effect upon the entire system and particularly upon the female organs, produce beneficial results if the directions are followed"; (carton) "Fem Tonic for Women * * * Merrell's Female Tonic Recommended for Non-Surgical Cases where it is desired to Tone and Strengthen The Female Organs Correct the conditions commonly known as Painful and Irregular Menstruation and as a palliative for the distress accompanying Menopause (change in life) * * * Beneficial During Pregnancy * * * absolutely safe to use during the entire period of pregnancy. It acts as a valuable aid in reducing the pains of labor and promotes speedy recuperation. Fem Tonic for Women * * * Merrell's Female Tonic * * * beneficial effect upon the female organs * * * Dependable * * * Especially Recommended for Weakness, Disturbed Functions, Leucorrhœa (whites), scanty, Profuse, Painful and Irregular Menstruation, Distress Accompanying Menopause (change in life), and similar conditions which may be amenable to nonsurgical treatment. Fem Tonic for Women."

On January 10, 1933, no claimant having appeared for the property, judgment of forfeiture was entered and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20368. Misbranding of Walker's Old Indian health tonic. U.S. v. 37½ Dozen Bottles of Walker's Old Indian Health Tonic. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 28932. Sample no. 16683-A.)

Examination of the drug product involved in this action disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed for the article in the labeling.

On September 22, 1932, the United States attorney for the Southern District of Florida, 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 37½ dozen bottles of Walker's Old Indian health tonic, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce on or about July 25, 1932, by the Walker Co., from Atlanta, Ga., to Jacksonville, Fla., 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, per 100 milliliters: Magnesium sulphate (27 grams), ferric chloride (1.4 grams), quinine sulphate (0.09 gram), and water.