

Nerve and Bone An External Remedy in all cases where a quick and penetrating relief is needed for Rheumatism, Neuralgia, * * * Sore Throat, * * * or Pains in any part of the body or limbs, * * * For the Relief of Lameness, * * * Ringbone, Spavin, * * * Cracked Heels, Distemper, Sweeney, Splint, &c.;" (circular) "Is an external liniment, penetrating and healing. * * * It is a scientific combination of the greatest healing principles of nature. * * * builds up the broken and bruised tissues in a quick and efficient manner. * * * penetrates directly to the nerve and bone. * * * may be applied to the tenderest wound or sore and will not cause pain. * * * is exceptionally fine for * * * sores, * * * snagged or torn flesh, swelling, * * * inflammations, etc., * * * is a fine liniment for rheumatism, sore throat, weak backs, stiff joints, etc. * * * heals quickly without leaving a scar, * * * for the treatment of lameness, * * * ringbone, spavin, cracked heels, distemper, sweeny, splint, * * * stiff joints, sores and wounds of all kinds." Misbranding was alleged for the further reason that the term "Cuban" in the name of the article was false and misleading.

On September 30, 1931, no claimant having appeared for the property, and the court having found that the allegations of the libel were true and correct, judgment was entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19392. Adulteration and misbranding of phenolphthalein wafers, choleate compound tablets, triple bromide tablets, neuralgia grippe tablets, quinine sulphate tablets, acid acetylsalicylic capsules, gastric ulcer (Sippy) tablets, and elixir rheumatico. U. S. v. The Vale Chemical Co. Plea of guilty. Fine, \$500. (F. & D. No. 26695. I. S. Nos. 5128, 27835, 28064, 29105, 29116, 29117, 29701, 29702, 29704, 29705.)

This action was based on the shipment of various drug preparations. In each instance analysis showed that the article contained one or more of the declared drugs in amount varying materially from the amount stated on the label, some drugs being present in less amount and some in greater. The labels of the neuralgia grippe tablets, the gastric ulcer (Sippy) tablets, and the elixir rheumatico also bore unwarranted curative and therapeutic claims.

On March 21, 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 said district an information against the Vale Chemical Co., a corporation, Allentown, Pa., alleging shipment by said company from the State of Pennsylvania into the State of New Jersey, between the dates of May 3, 1930 and March 24, 1931, of quantities of pharmaceutical preparations that were adulterated and misbranded.

The articles were labeled in part: "Wafers Phenolphthalein 1 Grain;" "Tablets Choleate Comp. * * * Sodium Salicylate 1½ grs.;" "Tablets Triple Bromides * * * Potass. Bromide 5 grs. Ammo. Bromide 5 grs. Soda Bromide 5 grs.;" "Neuralgia Grippe Stron. Salicylate 2½ grs. Acetanilide 2½ grs.;" "Acetanilide and Sod'm Comp. * * * Acetanilide 3½ grs., * * * Sodium Bromide 1/10 gr.;" "Quinine Sulphate * * * 2 grs.;" "Capsules Acid Acetyl Salicylic 5 grains;" "Gastric Ulcer * * * Magnesium Calcined 5 gr., Soda Bicarb. 5 gr.;" "Elixir Rheumatico * * * Each ounce contains Sodium Salicylate 38 Grs. * * * Indicated: In Rheumatism, Sciatica, LaGrippe * * * The Vale Chemical Co. Inc., Allentown, Pa."

It was alleged in the information that the articles were adulterated in that their strength and purity fell below the professed standard and quality under which they were sold, as follows: Each phenolphthalein wafer was represented to contain 1 grain of phenolphthalein, whereas they each contained more, namely, not less than 1.088 grain of phenolphthalein. Each choleat compound tablet was represented to contain 1½ grains of sodium salicylate, whereas each contained less, namely, not more than 1.336 grains of sodium salicylate. Each triple bromide tablet was represented to contain 5 grains of potassium bromide, 5 grains of ammonium bromide, and 5 grains of sodium bromide, whereas each contained more of the said bromides, namely, not less than 5.854 grains of ammonium bromide, and not less than 11.13 grains of sodium bromide and potassium bromide combined. Each of the neuralgia grippe tablets was represented to contain 2½ grains of strontium salicylate and 2½ grains of acetanilid whereas the said tablets each contained less of the said drugs, the two consignments containing not more than 2.196 and 2.106 grains, respec-

tively, of strontium salicylate and 2.114 grains of acetanilid. Each of the acetanilid and sodium compound tablets was represented to contain $3\frac{1}{2}$ grains of acetanilid and $\frac{1}{10}$ grain of sodium bromide, whereas the said tablets each contained less than so represented, namely, not more than 2.842 grains of acetanilid and not more than 0.0766 grain of sodium bromide. Each quinine sulphate tablet was represented to contain 2 grains of quinine sulphate, whereas the said tablets each contained less than so represented, namely, not more than 1.73 grains of quinine sulphate. Each acid acetylsalicylic capsule was represented to contain 5 grains of acid acetylsalicylic, whereas the said capsules each contained not more than 4.157 grains of said acetylsalicylate. Each of the gastric ulcer (Sippy) tablets was represented to contain 5 grains of magnesium calcined and 5 grains of soda bicarbonate, whereas the said tablets each contained less of the said drugs than so represented, namely, not more than 3.997 grains of calcined magnesium, and not more than 3.514 grains of soda bicarbonate. And each fluid ounce of the elixir rheumatico was represented to contain 38 grains of sodium salicylate, whereas each fluid ounce of the article contained more than so represented, namely, not less than 41.26 grains of sodium salicylate.

Misbranding was alleged for the reason that the following statements borne on the labels of the articles, "Phenolphthalein 1 grain," "Tablets * * * Sodium Salicylate $1\frac{1}{2}$ grs.," "Tablets * * * Potass. Bromide 5 grs., Ammo. Bromide 5 grs., Soda Bromide, 5 grs.," "Stron. Salicylate, $2\frac{1}{2}$ grs., Acetanilide $2\frac{1}{2}$ grs.," "Acetanilide, $3\frac{1}{2}$ grs. * * * Sodium Bromide $\frac{1}{10}$ gr." "Quinine Sulphate * * * 2 grs.," "Capsules Acid Acetyl Salicylic 5 grains," "Magnesium Calcined 5 gr., Soda Bicarb. 5 gr.," and "Each ounce contains Sodium Salicylate 38 grs." (with respect to the elixir rheumatico) were false and misleading, since the articles in certain instances contained less of the said drugs than declared in the label, and in certain instances contained more of the drugs than so declared. Misbranding was alleged with respect to three of the said drug preparations for the further reason that certain statements, designs, and devices appearing on the labels were false and fraudulent, the labeling of the so-called neuralgia grippe tablets representing that the article was effective as a treatment, remedy, and cure for la grippe, grippe, and rheumatism, the labeling of the magnesium and soda bicarbonate tablets representing that the article was effective as a treatment, remedy, and cure for gastric ulcer, and the labeling of the said elixir rheumatico representing that the article was effective as a treatment, remedy, and cure for rheumatism, sciatica, and la grippe; whereas the said articles contained no ingredients or medicinal agents effective to produce the effects claimed, i. e., the so-called neuralgia grippe tablets would not be effective as a treatment, remedy, and cure for la grippe, grippe, or rheumatism; the said magnesium soda bicarbonate tablets would not be effective as a treatment, remedy, and cure for gastric ulcer; and the said elixir rheumatico would not be effective as a treatment, remedy, and cure for rheumatism, sciatica, and la grippe.

On June 14, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$500.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19393. Misbranding of Dr. MacDonald's Atlas compound. U. S. v. 48 Dozen Boxes of Dr. MacDonald's Atlas Compound. Default decree of condemnation and destruction. (F. & D. No. 27309. I. S. No. 47084. S. No. 5445.)

Examination of a drug product, known as Dr. MacDonald's Atlas compound, from the shipment herein described having shown that the box label and the wrapper, leaflet, and circular shipped with the article, bore statements representing that it possessed curative and therapeutic properties which in fact it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Mississippi.

On or about December 7, 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 48 dozen boxes of Dr. MacDonald's Atlas compound, remaining in the original unbroken packages at Vicksburg, Miss., alleging that the article had been shipped by the Royal Drug Co., from Chicago, Ill., on or about December 27, 1930, and had been transported from the State of Illinois into the State of Mississippi, and charging misbranding in violation of the food and drugs act as amended.