

resultant congestions and inflammations, la grippe, influenza, Spanish flu, and pneumonia and would be remedial by virtue of its penetrating and healing potency in headaches, neuralgia, neuritis, nerve fag, sleeplessness, rheumatism, sciatica, burns, stings and bites; and that it was an analgesic healing agent in the treatment of diseased conditions of the mucous membranes or muscular tissues.

The Potasafras was alleged to be misbranded in that certain statements in the circular shipped with it and in various advertisements referred to in the said circular and thereby incorporated as an extension, continuation, and complement of the labeling, represented that the article was a notable pharmaceutical achievement prepared pursuant to a proven scientific formula; was a combination of proven and efficacious ingredients that would minimize the usual ill effects of the drug kali hydriodicum (potassium iodide); and admit the taking of said drug in larger quantities than would be salutary otherwise; would enable the physician to obtain quicker response in his treatment by the use of kali hydriodicum of greater strength and in greater dosages; that it was from 30 to 50 percent more efficient and economical than other pharmaceutical preparations for the treatment of diseases through the administration of kali hydriodicum, which statements were false and misleading.

The Potasafras was alleged to be misbranded further in that certain statements in the labeling and incorporated in the labeling as an extension, continuation, and complement thereof falsely and fraudulently represented that it was effective as a blood alterative, tonic, expectorant, sedative and system cleanser; effective as a scientific treatment for a toxic system, that it was effective to act directly on the blood through the body cells, tone, and build the entire body, encourage the cells, lymph glands, and white corpuscles to function 100 percent; that it was effective in diseased conditions that are apparently hopeless, would cure asthma and cause the body cells to throw off the toxins and poisons that cause asthma; that it would be efficacious in the treatment of hay fever, would loosen phlegm, quiet the nerve tension of the throat muscles, check irritation and drive out the infection when used in the treatment of bronchitis; would drive the poisons and toxins from the crevices and folds of the stomach and intestines when used in the treatment of constipation; would cause a gain in weight, would improve the appetite and restore sound sleep, strengthen the muscles, color the cheeks, restore vigor and pep, lower blood pressure and prevent arterial sclerosis, drive pus and poisons from the system and thereby cure rheumatism, neuralgia, and lumbago; would be beneficial in the treatment of goiter, and banish simple or incipient goiter; would act as a tonic and cool the blood, would improve the appetite, enable one to regain lost weight, drive out bacteria and infection, cure boils, pimples and poor complexion; was efficacious in the treatment of liver, gall bladder, kidneys, septicemia, nephritis, jaundice, hepatic cirrhosis, dyspepsia, gout, and biliousness; would increase metabolism and help the white blood corpuscles to devour and carry off bacteria; would stimulate vital lymph glands, relieve choking and coughing, wheezing, congestion and difficult breathing; that it would eliminate poison, that it was efficacious in the treatment of heart and lung trouble, would strengthen the endocrine glands, and increase vitality; would produce miraculous results in the treatment of the blood, that it was the best blood medicine on the market, would cure hay fever 100 percent, would create resistance to germs and bacteria, would enable the organs to discharge their functions faster and better, that it would alleviate conditions that were concomitants of asthma, hay fever, bronchitis and other diseases and disorders due to a toxic system, and would improve eyesight and reduce susceptibility to colds.

On April 8, 1941, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$200.

31133. Misbranding of Runner's Sore Throat Remedy. U. S. v. C. H. Griest Co., Inc., and Earl I. Runner. Pleas of guilty. Fines, \$800. (F. & D. No. 42533. Sample Nos. 18262-C, 65614-C.)

The labeling of this product bore false and fraudulent curative and therapeutic claims; and also a false statement of the quantity of alcohol that it contained.

On August 13, 1938, the United States attorney for the Northern District of West Virginia filed an information against C. H. Griest Co., Inc., Wheeling, W. Va., and Earl I. Runner, alleging shipment on or about July 29, 1936, and September 20, 1937, from the State of West Virginia into the State of Pennsylvania, of quantities of Runner's Sore Throat Remedy which was misbranded.

Analyses showed that one shipment consisted chiefly of a hydroalcoholic solution of boric acid, clove oil, cinnamon oil, menthol, creosote, zinc chloride, and alcohol (not less than 23 percent by volume); and that the other shipment consisted of a hydroalcoholic solution of boric acid, zinc chloride, guaiacol, volatile oils, and alcohol (not less than 22.3 percent by volume).

The article was alleged to be misbranded in that the statement "Alcohol 10% by Volume," borne on the bottle label, was false and misleading since it represented that the article contained 10 percent of alcohol by volume; whereas it contained more than 10 percent, namely, not less than 22.3 percent in one of the shipments and not less than 23 percent in the other.

It was alleged to be misbranded further in that certain statements regarding its curative and therapeutic effects, borne on the bottle labels, falsely and fraudulently represented that it was effective as a remedy for sore throat; and effective to give immediate relief from sore and ulcerated mouth, throat and tonsils, laryngitis, quinsy, tonsillitis, and hoarseness.

On April 25, 1939, pleas of guilty having been entered on behalf of the defendants, each was fined \$100 on each of the four counts, the total fines amounting to \$800.

31134. Adulteration and misbranding of British oil, Elixir Aspirin and Murray's Horehound, Mullein and Tar; misbranding of Dalby's Carminative and Dr. Hilton's Life Brand for the Kidneys and Liver. U. S. v. McKesson & Robbins, Inc., Murray Division. Plea of nolo contendere. Fine, \$100. (F. & D. No. 42625. Sample Nos. 764-D, 10034-D, 10035-D, 10037-D, 54353-C, 54354-C, 54355-C.)

This case was based on two shipments of British oil and one shipment of Murray's Horehound, Mullein and Tar which differed from their declared strength and the labeling of which bore false and fraudulent curative and therapeutic claims; one shipment of Elixir Aspirin which differed from its declared strength; one shipment of Dalby's Carminative which was labeled to indicate that it was safe but which in fact was not safe and the labeling of which also bore false and fraudulent curative and therapeutic claims; and two shipments of Dr. Hilton's Life Brand for the Liver and Kidneys the labeling of which bore false and fraudulent curative and therapeutic claims and a false and misleading declaration of alcohol and falsely represented that it complied with the law.

On February 20, 1939, the United States attorney for the Eastern District of South Carolina filed an information against McKesson & Robbins, Inc., Murray Division, Columbia, S. C., alleging shipment within the period from on or about February 15, 1937, to on or about February 7, 1938, from the State of South Carolina into the States of Florida and Georgia of quantities of the above-named drug preparations all of which were misbranded and portions of which were also adulterated.

Analyses showed that one lot of the British oil consisted essentially of a mixture of cottonseed oil, petroleum, turpentine, a trace of phenolic substances and little, if any, linseed oil, and that the other lot consisted essentially of a mixture of fatty oil, petroleum, and turpentine; that Dalby's Carminative consisted essentially of a liquid containing oils of peppermint and anise, magnesium carbonate in suspension, and morphine equivalent to slightly less than the declared $1\frac{1}{2}$ grains of powdered opium; that Murray's Horehound, Mullein and Tar consisted essentially of a syrupy solution containing horehound, tar, sugar, menthol, and chloroform (1.06 minims per fluid ounce); and that Dr. Hilton's Life for the Kidneys and Liver consisted essentially of a dilute hydroalcoholic sugar solution containing essentially plant extractives including those of emodin-bearing drugs, flavored with licorice and other aromatics.

The British oil was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, namely, "Prepared according to the formula * * * published in the United States Dispensary, tenth edition, page 521," since it contained little, if any, oil of linseed but did contain cottonseed oil; whereas British oil prepared according to the said formula contains in each 27 fluid ounces, among other things, 8 fluid ounces of oil of linseed and does not contain cottonseed oil.

The British oil was alleged to be misbranded in that the statements "British Oil Prepared according to the formula * * * published in the United States Dispensary, tenth edition, page 521," were false and misleading. It was alleged to be misbranded further in that statements in the labeling regarding its curative and therapeutic effects falsely and fraudulently represented that it was effective as a treatment, remedy or cure for swellings, inflammations, the blackness of a bruise, fresh wounds, cuts, earaches, coughs, shortness of breath, pain, swelling, ulcers, and inward disorders.