

a libel praying seizure and condemnation of 52 packages, each containing a bottle of McDonald's Crystalene and one sample envelope of Crystalene Laxative Pills, at Washington, D. C., alleging that the articles had been shipped in interstate commerce on or about September 8, 1936, from Baltimore, Md., by the Crystalene Extracts Co., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of the product in the bottles showed that it consisted essentially of alcohol, sugar, water, and extracts of plant drugs including nux vomica, licorice, and a laxative plant drug; and that the pills consisted essentially of a laxative plant drug.

The libel alleged that the articles were misbranded in that the bottle label, envelope, and accompanying leaflet bore false and fraudulent representations regarding their effectiveness in the treatment of indigestion, biliousness, dyspepsia, dizziness, dropsy, diabetes, kidney, liver, bladder and blood disorders, tumors, rheumatism, high blood pressure, paralysis, influenza, chills, fevers, malaria, headaches, sudden sickness, and jaundice; and their effectiveness to produce normal action of the bowels, act as a reconstructive, and cleanse the system of poison.

On May 18, 1938, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28996. Misbranding of Linoil. U. S. v. 30 Jars of Linoil. Default decree of condemnation and destruction. (F. & D. No. 40843. Sample No. 48085-C.)

This product was misbranded because of false and fraudulent curative and therapeutic claims in the labeling and because it was labeled to indicate that its active ingredient was linseed oil, which was not the fact.

On November 17, 1937, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 30 jars of Linoil at Lynchburg, Va., consigned by Sutton Laboratories, Inc., of Chapel Hill, N. C., alleging that the article had been shipped in interstate commerce on or about October 9 and October 14, 1937, from the State of North Carolina into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of benzoic and salicylic acids incorporated in an ointment base.

The article was alleged to be misbranded in that the name "Linoil" was false and misleading since it implied that the active ingredient was linseed oil, whereas it consisted essentially of benzoic and salicylic acids. It was alleged to be misbranded further in that the statement "Used for * * * Eczema, Etc." constituted a curative or therapeutic claim for the article that was false and fraudulent.

On June 6, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28997. Misbranding of aspirin. U. S. v. 57 Dozen Tins of Aspirin Tablets. Default decree of condemnation and destruction. (F. & D. No. 41948. Sample No. 9711-D.)

The labeling of this product bore false and fraudulent representations regarding its curative and therapeutic effects.

On March 14, 1938, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 57 dozen tins of aspirin tablets, packed in cartons each containing 3 dozen tins, at Wilkes-Barre, Pa., alleging that the article had been shipped in interstate commerce on or about February 11, 1938, by American Pharmaceutical Co., Inc., from New York, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

The article was alleged to be misbranded in that the following statements borne on the carton containing 36 tins, regarding its curative or therapeutic effects, were false and fraudulent: "For * * * Toothache, * * * Antiseptic Gargle, For Rheumatism, Sciatica, Lumbago, Pain."

On April 29, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*