

court an information against Standardized Remedies, Inc., New York, N. Y., and Joseph Frey, an officer of the corporation, alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about August 3, October 19 and November 10, 1936, from the State of New York into the States of New Jersey and Missouri of quantities of drug preparations, hereinafter described, which were misbranded. Portions were labeled: "Formula No. 448 [or "447" or "459"] * * * Dr. J. R. W. Ward's Formulas * * * Standardized Remedies, Inc. * * * Brooklyn, N. Y." The remainder were labeled: "Formula 444 [or "434"] * * * Stand. Rem. Lab. Inc. Brooklyn N. Y."

Analyses of samples showed: (1) That Formula No. 448 contained plant material, including blessed thistle, and probably licorice; (2) that Formula No. 444 contained coarsely ground plant material, including chamomile flowers, cotton-root bark and probably dog grass, senna, and podophyllum; (3) that Formula No. 447 contained plant material, including probably chamomile, podophyllum, and kamala; (4) that Formula No. 434 consisted of plant material, including chamomile flowers, lovage root, and probably cotton-root bark, dog grass, and podophyllum; and (5) that Formula No. 459 contained plant material, including podophyllum root and starch, and other plant tissues not recognized.

The articles were alleged to be misbranded in that the labeling bore statements falsely and fraudulently representing that the preparations were effective in the following treatments: Formula No. 448 for hardening of arteries, Formula No. 444 for dropsy, Formula No. 447 for high blood pressure, Formula No. 434 for diabetes, and Formula No. 459 for weakness of the heart.

On November 26, 1937, pleas of nolo contendere having been entered by the defendants, they were sentenced to pay fines in the total amount of \$1,000.

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

28321. Adulteration and misbranding of Puritan Brand General Tonic, and misbranding of Puritan Brand Liniment and Puritan Brand Treatment Tablets. U. S. v. Clyde Collins Chemical Co., Clyde Collins, and Roy Clark Collins. Pleas of guilty. Total fines, \$400; costs assessed. (F. & D. No. 39744. Sample Nos. 15791-C, 15792-C, 15793-C.)

The labeling on these products contained false and fraudulent curative and therapeutic claims. The General Tonic was represented to contain iron and nux vomica; whereas it contained an inappreciable amount of iron and no nux vomica.

On August 31, 1937, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court an information (amended September 28, 1937) against the Clyde Collins Chemical Co., a corporation, Memphis, Tenn., Clyde Collins, and Roy Clark Collins, alleging shipment by said defendants in violation of the Food and Drug Act as amended, on or about November 12, 1936, from the State of Tennessee into the State of Georgia of quantities of the above-named products, which were misbranded and the first-named of which was also adulterated. The articles were labeled in part: "Manufactured by Clyde Collins Chemical Co."

Analysis showed that the General Tonic consisted essentially of magnesium sulphate, small proportions of sodium citrate, extracts of plant drugs, saccharin, salicylic acid, and a minute amount of iron compound and water; that the Liniment consisted essentially of light petroleum oil containing small proportions of eucalyptol and methyl salicylate colored with a red dye, and that the Treatment Tablets contained iron oxide, small proportions of zinc phosphide, and strychnine, milk sugar, talc, and a gum.

The tonic was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold since it was represented to contain iron and nux vomica; whereas it contained an inappreciable amount of iron and no nux vomica. It was alleged to be misbranded in that the statements, (circular) "Containing Iron * * * it contains iron, also nux" and (carton and bottle) "Containing Iron," were false and misleading since they represented that the article contained an appreciable amount of iron and nux vomica; whereas it contained an inappreciable amount of iron and no nux vomica.

All products were alleged to be misbranded in that certain statements, designs, and devices regarding their therapeutic or curative effects, appearing in the labeling, falsely and fraudulently represented that the tonic was effective as a general tonic; as a tonic; as a great body builder and as a health-building and strength-renewing medicine; effective to restore health; effective as a treatment for kidney and bladder ailments; and effective as a relief for bilious-

ness, loss of appetite, general ill health, rheumatism, sour stomach, nerve-sexual debility, impure blood, pimples, blotches, indigestion, torpid liver, weak men and women, kidney and bladder troubles, pains in the back and hips, lost manhood, sallow, muddy complexion, and malaria; and effective to remove filth from the stomach; that the liniment was effective as a treatment, remedy, and cure for rheumatism, stiff, sore or swollen joints, neuralgia, toothaches, pain of any description, cramps, dysentery and summer complaints; and that the treatment tablets were effective as a treatment for men and women in a weak and run-down sex condition; effective to give strength, pep, and energy; and effective when used in connection with Puritan Iron Tonic, to restore lost manhood.

On October 8, 1937, the defendants entered pleas of guilty and the court imposed a fine of \$200 against the corporation, and a fine of \$100 against each of the individual defendants, and assessed costs of the proceedings.

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

28322. Misbranding of Pneumo Oil. U. S. v. 15 Packages of Pneumo Oil. Default decree of condemnation and destruction. (F. & D. No. 39521. Sample No. 14645-C.)

This product bore on its labeling false and fraudulent representations regarding its curative or therapeutic effects. It also contained less alcohol than was declared on the label.

On May 4, 1937, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 15 packages of Pneumo Oil at Toledo, Ohio, alleging that the article had been shipped in interstate commerce on or about July 12, 1933, by the Pneumo Oil Co. from Detroit, Mich., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of kerosene, oil of peppermint, and a small amount of camphor. It contained no alcohol.

It was alleged to be misbranded in that the carton, bottle label, and circular bore false and fraudulent statements regarding its effectiveness for the relief of pneumonia, bronchitis, tonsillitis, pleurisy, quinsy, sore throat, neuritis, lumbago, rheumatism, inflammation, coughs, soreness, painful swellings, menstrual suffering, and influenza. The article was alleged to be misbranded further in that the statement "Alcohol 10%," appearing on the carton and bottle label, was false and misleading since it contained no alcohol.

On October 19, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

28323. Misbranding of Lawrence Caustic Balsam. U. S. v. Lawrence-Williams Co., and Paul T. Lawrence. Pleas of nolo contendere; finding of guilty. Fines, \$200 and costs. (F. & D. No. 38647. Sample No. 28784-C.)

The labeling of this product contained false and fraudulent representations regarding its curative or therapeutic effects and false and misleading representations to the effect that it was absolutely safe; whereas it contained cantharides, a blistering agent.

On June 26, 1937, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Lawrence-Williams Co., a corporation, Cleveland, Ohio, and Paul T. Lawrence, alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about November 21, 1936, from the State of Ohio into the State of New York of a quantity of Lawrence Caustic Balsam which was misbranded. It was labeled in part: "The Lawrence-Williams Co. Cleveland Ohio."

Analysis showed that the article consisted chiefly of a saponified oil, a terpene oil, and cantharides.

It was alleged to be misbranded in that certain statements in the labeling regarding its therapeutic and curative effects, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for human ailments and for torturous ache or pain; effective to relieve human ailments, to strengthen the muscles and as a treatment for open or raw flesh; effective to force out corruption and create a healthy surface; effective to relieve pain in humans; effective as a treatment, remedy, and cure for caked udders, bone spavin, carpititis (inflammation of the knee), inflammation of the knee joint,