

25836. Misbranding of Pfeiffer's Sore Throat Remedy. U. S. v. 100 Bottles of Pfeiffer's Sore Throat Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 36545. Sample no. 54010-B.)

False and fraudulent curative and therapeutic claims were made for this article.

On October 28, 1935, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of a quantity of Pfeiffer's Sore Throat Remedy at Reading, Pa., alleging that the article had been shipped in interstate commerce on or about May 31, 1934, from St. Louis, Mo., and charging misbranding in violation of the Food and Drugs Act. The shipment was made by the S. Pfeiffer Manufacturing Co., St. Louis, Mo.

Analysis showed that the article contained per 100 milliliters: 0.8 gram of ammonium chloride, 1 gram of potassium chlorate, 2.2 grams of sodium benzoate, water, and glycerin, flavored with methyl salicylate.

Misbranding of the article was charged under the allegations that the following statements appeared upon and within the package, (bottle) "Sore Throat Remedy for Tonsillitis, Hoarseness, Thrush, Sore Mouth, Ulcerated Sore Mouth", (carton) "Sore Throat Remedy for Tonsillitis, Hoarseness, Sore Mouth, Ulcerated Sore Mouth"; (translation from German) "Medicine for Throat Illnesses * * *"; that the aforesaid statements were representations regarding the curative and therapeutic effect of the article, and that they were false and fraudulent.

On November 19, 1935, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

W. R. GREGG, *Acting Secretary of Agriculture.*

25837. Misbranding of Lydia E. Pinkham Tablets. U. S. v. 33 Small Packages and 54 Large Packages of Lydia E. Pinkham's Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30714. Sample nos. 30486-A, 30487-A.)

Examination of the drug preparation Lydia E. Pinkham's Tablets disclosed that the article contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed for it in the labeling.

On July 12, 1933, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 87 bottles of Lydia E. Pinkham's Tablets at Baltimore, Md., alleging that the article had been shipped in interstate commerce in various shipments on or about May 18, June 1, and June 12, 1933, by the Lydia E. Pinkham Medicine Co., from Lynn, Mass., to Baltimore, Md., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article showed that the tablets each contained 1½ grains of sodium monobenzy succinate and 2 grains of an extract of a plant drug such as viburnum.

It was alleged in the libel that the article was misbranded in that the package bore false and fraudulent representations regarding its effects in functional ailments of women such as irregular or suppressed menstruation, painful menstruation, and excessive menstruation. The detailed representations alleged to be false and fraudulent are essentially the same as those quoted in Notice of Judgment 25062.

On August 1, 1933, the Lydia E. Pinkham Medicine Co. appeared as claimant and filed an answer denying that the product was misbranded. On January 7, 1936, motion by the claimant for withdrawal of its answer having been granted, judgment of condemnation, forfeiture, and destruction was entered.

W. R. GREGG, *Acting Secretary of Agriculture.*

25837. Misbranding of Lydia E. Pinkham's Tablets. U. S. v. 33 Small Packages Diaplex. Default decree of condemnation, forfeiture, and destruction. (F. & D. nos. 36589, 36623. Sample nos. 40716-B, 45941-B.)

False and fraudulent curative and therapeutic claims were made for this article.

On November 1, 1935, the United States attorney for the Northern District of California, and on November 18, 1935, the United States attorney for the Western District of Washington, each acting upon a report by the Secretary of Agriculture, filed in his respective district court a libel praying seizure and condemnation of 98 cartons of Diaplex at San Francisco, Calif., and 39 packages of Diaplex at Seattle, Wash., alleging that the article had been shipped in interstate commerce in part on or about August 26, 1935, and in part on or about