

The article was alleged to be misbranded in that the carton and bottle label bore, and circulars enclosed in the package contained, false and fraudulent statements that the article was effective as a tonic and system regulator, as an aid to digestion and assimilation, as a stimulant to the liver and kidneys in throwing off poisonous waste matter, as a stimulant to the intestinal tract, as a tonic for expectant mothers; and effective as a curative and therapeutic agent in the treatment of improper digestion, sour or gaseous conditions of the stomach, disturbances of the heart caused by such conditions, bilious attacks, sick spells, sleeplessness, rheumatism, rheumatic pains, grip, colds, sick headache, poor appetite, indigestion, sour stomach, and uneasy feeling after meals. The article was alleged to be further misbranded in that the statement on the carton, to wit, "Made largely from Herbs, such as Buchu, Dandelion, Prickly Ash, Sarsaparilla, Stillingia, Yellow Dock, and a number of other Ingredients of Therapeutic value", was false and misleading in that the product consisted largely of Epsom salt.

On January 16, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

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

25844. Misbranding of Alkavis. U. S. v. 9 Bottles of Alkavis. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 36721. Sample no. 41817-B.)

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

On December 11, 1935, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of nine bottles of Alkavis at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about May 4, 1934, by the Williams Manufacturing Co., from Cleveland, Ohio, and charging misbranding in violation of the Food and Drug Act as amended.

Analysis showed that the article consisted essentially of potassium nitrate, salicylic acid (0.22 gram per 100 milliliters), extract of a plant drug, glycerin, and water.

The article was alleged to be misbranded in that the following statements appearing in the labeling were statements regarding the curative and therapeutic effects of the article and were false and fraudulent: (Bottle and carton) "For Kidneys Liver & Urinary Organs—and-Blood Impurities Due to Defective Action of the Kidneys—and-Rheumatism"; (carton only) "For Rheumatism * * * For The Kidneys, Liver and Urinary Organs."

On January 16, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

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

25845. Adulteration and misbranding of Alcolthol-Rub. U. S. v. 3 Gross Bottles of Alcolthol-Rub, and another libel proceeding against the same article. Default decree of condemnation, forfeiture, and destruction in each case. (F. & D. nos. 36792, 36923. Sample nos. 44035-B, 50470-B.)

The label of this article misrepresented its composition, bore an erroneous statement concerning the opinion thereon of the medical profession, and was without a statement of the quantity of alcohol in the article. With respect to one of the shipments referred to here, the article was sold under a professed standard to which it did not conform.

On December 14, 1935, the United States attorney for the District of Massachusetts, and on January 9, 1936, the United States attorney for the District of New Jersey, acting upon reports by the Secretary of Agriculture, filed in their respective district courts a libel praying seizure and condemnation of three gross bottles of Alcolthol-Rub at Boston, Mass., and 113 bottles thereof at Newark, N. J., alleging in the case in the District of Massachusetts that the article had been shipped in interstate commerce on or about November 27, 1935, by Fallis, Inc., from New York, N. Y., into the State of Massachusetts, and in the case in the District of New Jersey, that the article had been shipped on or about October 19, 1935, by Fallis, Inc., from New York, N. Y., into the State of New Jersey, and charging adulteration and misbranding, in the case in the District of Massachusetts; and misbranding only in the case in the District of New Jersey, in violation of the Food and Drugs Act. The article in each shipment was labeled in part: (Bottle) "Alcolthol-Rub * * * Endorsed by the Medical Profession The Perfect Rubbing Compound." The