

**24670. Misbranding of Antiseptine, Genius Vaporine Ointment, white petrolatum, and Victory Vapor Balm. U. S. v. 132 Bottles of Antiseptine, et al. Default decrees of condemnation and destruction. (F. & D. nos. 35153 to 35156, incl. Sample nos. 28836-B, 28837-B, 28840-B to 28843-B, incl.)**

These cases involved drug preparations which were misbranded because of unwarranted curative and therapeutic claims in the labeling. The Antiseptine was further misbranded since it was not antiseptic as claimed in the labeling when used according to directions; the white petrolatum was further misbranded since the jars contained less than the declared weight.

On February 18, 1935, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 558 bottles of Antiseptine, 285 jars of Genius Vaporine Ointment, 1,149 jars of white petrolatum, and 239 cans of Victory Vapor Balm at Boston, Mass., alleging that the articles had been shipped in interstate commerce in various shipments between the dates of May 31, 1934, and February 3, 1935, by the Hygienic Pharmacal Laboratories, from New Haven, Conn., and charging misbranding in violation of the Food and Drugs Act as amended. The articles were labeled, variously: "Antiseptine \* \* \* Genius Phar. Lab."; "Genius Vaporine Ointment \* \* \* Genius Phar. Lab."; "White Petrolatum"; "Victory Vapor Balm \* \* \* Made only by The V. V. B. Company, Denver, Colo."

Analysis showed that the Antiseptine consisted essentially of alcohol, water, boric acid, benzoic acid, and salicylic acid together with small proportions of witch hazel, thymol, eucalyptol, and menthol. Bacteriological examination showed that it was not antiseptic when diluted with three parts of water. Analyses of the remaining products showed that the Vaporine Ointment consisted essentially of white petrolatum with volatile oils including eucalyptus oil and menthol; that the jars of the white petrolatum contained less than 2 ounces of the product; and that the Victory Vapor Balm consisted essentially of volatile oils, including eucalyptus and cajeput oils (2.2 percent), incorporated in a mixture of petrolatum and paraffin.

The articles were alleged to be misbranded in that the following statements regarding their curative and therapeutic effects, appearing in the labeling, were false and fraudulent: (Antiseptine) "Directions For \* \* \* Dandruff \* \* \* and Rheumatism use Antiseptine full strength. For Laryngitis, Pharyngitis, Tonsillitis or Sore Throat use Antiseptine one part to three parts of hot water, and gargle as hot as possible, soon as any soreness is felt in throat. Repeat gargle as often as possible until relief is obtained"; (Vaporine Ointment) "For \* \* \* Coughs Congestion & Catarrh. Directions For \* \* \* Tonsillitis Rub well vapor ointment over chest and throat allowing the patient to inhale the vapor freely, then cover with warm flannel. For Catarrh Melt a little vapor ointment in a spoon and inhale the vapors, or apply to nostrils. For inflammation Apply to affected parts as salve"; (white petrolatum) "Internal uses: \* \* \* Sore Throats"; (Vapor Balm, can label) "For Catarrh \* \* \* Tonsillitis Croup Asthma Hay Fever \* \* \* Take this germ destroying \* \* \* treatment"; (carton) "A simple and practical treatment For Hay Fever \* \* \* Catarrh, Influenza, 'Flu' Asthma, Croup. Whooping Cough, Quinzy, Sore Throat, Bronchitis and kindred diseases"; (circular) "An Internal Vapor Bath For The \* \* \* Lungs. A simple and practical treatment for: Hay Fever \* \* \* Influenza 'Flu.' Asthma Quinzy Bronchitis Summer Colds \* \* \* is the practical result of extensive experiments conducted in the hope of finding a cure for 'Flu,' Hay Fever, \* \* \* Catarrh, Asthma and kindred diseases without having to take medicine, work an atomizer or snuff powder or ointment up the nose. \* \* \* is the perfected and improved method of applying medication to the \* \* \* lungs in a practical, natural way. \* \* \* The medicated vapor is breathed and inhaled into the \* \* \* lungs, reaching the affected membrane and tissues \* \* \* (See illustration no. 3.) [Illustration no. 3 is a side picture of a woman showing vapor passing through nose and throats into lungs] It is no easy matter to treat affections of the air passages by internal medicine or external applications. Taking medicine into the stomach to relieve affections of the head, throat, lungs, etc., seems a very indirect treatment. You breathe in germs that cause the trouble, why not breathe in the medication that destroys the germs. How to Avoid the 'Flu.' Breathe in the vapor from V. V. B. and kill the germs before they become dangerous, or active. The very first treatment of V. V. B. opens your \* \* \* air passages of the head; stops nose running; relieves \* \* \* dullness,

feverishness and sneezing. The vapor from V. V. B. will strengthen and aid in clearing the eyes and overcome the inflammation and watering. \* \* \* In aggravated and severe cases repeat the treatment as often as necessary when irritation returns. \* \* \* should clear up the head and stop the sneezing, blowing and running of the nose, and watering of the eyes. (\* \* \* Use daily and avoid the danger from diseased germs that may have been breathed in.) \* \* \* efficacious as an adjunct in the treatment of Catarrh \* \* \* and Hay Fever." Misbranding of the Antiseptine was alleged for the further reason that the statements appearing in the labeling, "Antiseptic \* \* \* use one part Antiseptine to three parts of lukewarm water \* \* \* use Antiseptine one part to three parts hot water", were false and misleading, since the article was not an antiseptic when used as directed. Misbranding of the white petrolatum was alleged for the further reason that the statement on the label, "Net Wgt. 2 Oz.", was false and misleading, since the jars contained less than the declared weight.

On April 8, 1935, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

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

**24671. Misbranding of Wilharm's Salve. U. S. v. 87 Packages of Wilharm's Salve. Default decree of condemnation and destruction. (F. & D. no. 35213. Sample no. 21528-B.)**

This case involved an interstate shipment of a drug preparation which was misbranded because of unwarranted curative and therapeutic claims appearing in the labeling.

On March 4, 1935, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 87 packages of Wilharm's Salve at New York, N. Y., alleging that the article had been shipped in interstate commerce in various shipments on or about November 28, 1934, January 5, and January 26, 1935, by Dr. G. F. E. Wilharm's Sons, from Pittsburgh (Crafton), Pa., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of lead compounds such as lead oleate and lead oxide, camphor, an extract of woody material, such as elm bark, and fat.

The article was alleged to be misbranded in that certain statements appearing on the carton, jar label, and in the circular, falsely and fraudulently represented that it was effective in the treatment of felons, catarrhs, bealings, bealed breasts, carbuncles, boils, abscesses, swellings, cuts, soft corns, sores, running sores, and painful sores.

On March 20, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

**24672. Adulteration and misbranding of Ferro China De Angelis; and misbranding of Thymoform and artificial Vichy water powders. U. S. v. 10 Large Bottles of Thymoform, et al. Default decrees of condemnation and destruction. (F. & D. nos. 35248 to 35252, incl. Sample nos. 28877-B, 28878-B, 28879-B.)**

These cases involved drug preparations which were misbranded because of false and fraudulent curative and therapeutic claims in the labeling. The labelings of the Thymoform and the Ferro China De Angelis were further objectionable since the former was falsely represented to be nonpoisonous and nonirritating and to possess disinfecting and antiseptic properties when diluted according to directions, and the latter contained a smaller amount of the alkaloids of cinchona bark than declared, it was sold as an elixir of cinchona bark and iron, but in fact contained little of the alkaloids derived from cinchona bark, and little iron, and was short volume.

On March 11, 1935, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 37 large bottles, 36 medium bottles, and 61 small bottles of Thymoform, 22 bottles of Ferro China De Angelis, and 6 packages of artificial Vichy water powders at Boston, Mass., alleging that the articles had been shipped in interstate commerce in part on or about November 14, 1934, and in part on or about December 11, 1934, by the Chemical Industrial Co., from Providence, R. I., and charging adulteration and misbranding of the Ferro China De Angelis, and misbranding of the Thymo-