

The article was alleged to be misbranded in that certain statements in the labeling false and fraudulently represented it to be effective in the treatment of gastric and duodenal ulcer, gastric inflammation, hyperacidity, and irritable colon; effective to provide a protective coating for inflamed surfaces, to afford rapid and effective relief from pain and associated symptoms of peptic ulcer, effective in gastro-intestinal inflammations and border-line cases of hyperacidity; effective as a treatment for stomach ailments and ulcers; effective to supply a protective coating for ulcer wounds and other irritations and inflammations; effective to secure lasting, enduring benefits; effective to absorb excess hydrochloric and other free acids, as effective in the treatment of alcoholic stomachs following sprees; effective to relieve spasmodic pains; effective as a treatment for persistent nausea and vomiting, cramp-like pains, gastric hemorrhage, pains in epigastrium, nonspecific ulcerative colitis, gastric disturbance, distress at night; and effective to produce increase in weight, induce better ingestion and assimilation, and cause increase in bile secretions.

On May 8, 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.*

**24686. Misbranding of Baker's Cough Syrup. U. S. v. 69 Bottles of Baker's Cough Syrup. Default decree of condemnation and destruction. (F. & D. no. 35394. Sample no. 28948-B.)**

This case involved a drug preparation the labeling of which contained unwarranted curative and therapeutic claims.

On April 18, 1935, the United States attorney for the District of New Hampshire, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 69 bottles of Baker's Cough Syrup at Nashua, N. H., alleging that the article had been shipped in interstate commerce on or about February 21, 1935, by the Baker Extract Co., from Springfield, Mass., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of extracts of plant drugs such as white pine, sassafras, and wild cherry, tar, chloroform, alcohol, sugar, and water.

The article was alleged to be misbranded in that the following statements appearing in the labeling were statements regarding the curative or therapeutic effects of the article and were false and fraudulent: (Bottle) "Relieves Coughs, Hoarseness, Influenza, Bronchitis, Croup, Whooping Cough and Inflamed Conditions of the Throat and Lungs"; (carton) "For the Relief of Coughs, Hoarseness, Croup and many Inflamed Conditions of the Throat. \* \* \* Valuable in affections of the throat and for relieving obstinate coughs \* \* \* It relieves the contraction of the throat muscles and has a soothing effect upon the inflamed membranes."

On May 22, 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.*

**24687. Misbranding of Chlorine Respirine. U. S. v. 53 Dozen Packages of Chlorine Respirine. Default decree of condemnation and destruction. (F. & D. no. 35062. Sample no. 11896-B.)**

This case involved a drug preparation the labeling of which contained unwarranted curative and therapeutic claims. The labeling was further objectionable since the article was represented to contain available chlorine, whereas it contained no available chlorine.

On February 16, 1935, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 53 dozen packages of Chlorine Respirine at Denver, Colo., consigned by the Chlorine Respirine Co., Chicago, Ill., alleging that the article had been shipped in interstate commerce from the State of Illinois into the State of Colorado in various shipments between the dates of January 1 and March 12, 1925, and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of calcium compounds incorporated in petrolatum, and that it contained no available chlorine.

The article was alleged to be misbranded in that the following statements in the labeling were false and misleading, since the article contained no available chlorine: (Carton) "Chlorine \* \* \* Chlorine Respirine liberates

pure Chlorine gas"; (circular contained in some of the packages) "(Liberates free Chlorine) \* \* \* containing chlorine gas \* \* \* The Chlorine Products Company has been testing various means of producing chlorine for this treatment in a convenient and safe form so that everybody may have this treatment without going to hospitals or other expensive places where special equipment is used. We now offer to you Respirine in an ointment base which when applied as a cream to the entrance of each nostril will liberate the chlorine gas"; (tube label) "Liberates Free Chlorine." Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, were false and fraudulent: (Carton) "Genuine Chlorine Treatment \* \* \* the most effective agent for treating \* \* \* bronchitis, laryngitis, whooping cough, influenza, etc., and other respiratory diseases in which the infection is on the surface of the mucous membrane"; (tube label) "Chlorine Treatment \* \* \* Preventative After exposure to surface respiratory infections use 'Respirine' as a preventative"; (circular in some of the packages) "The 'chlorine' treatment for \* \* \* bronchitis, whooping cough, influenza and all respiratory infections where the infective organism is on the surface of the mucous membrane. \* \* \* The development of this gas treatment is an outcome of the late World War. During the war it was observed that employees in the chlorine departments of the chemical divisions were free from all of the above respiratory infections, and from these observations extensive experiments were carried on with remarkably beneficial and curative results. Veedor & Sawyer Jour. A. M. A. Vol. 82, pages 764-766, Mar. 8, 1924. Report 931 patients treated for respiratory infections and after one hour treatment with chlorine gas 665 cases were cured, 218 improved and only 48 showed no change. Government officials including the President and hundreds of government employees have been successfully treated by this modern method. \* \* \* it will be breathed over the mucous membrane and into the lungs, thereby subjecting every infected membrane over which the air passes to the effects of this remedial and healing gaseous dilution. With Respirine the chlorine treatment \* \* \* Colds and their complications are the cause of untold loss, suffering and death, hence it is very hard to over estimate the value of such beneficial remedial agent as Respirine, which will largely overcome such infectious conditions. The use of chlorine gas in the successful treatment of President Coolidge, Senators, Congressmen, Cabinet officers and hundreds of government employees in Washington, D. C., has so profoundly impressed the medical profession that its use is becoming general and universally accepted. \* \* \* If you have a respiratory infection, i. e., cold, coryza, laryngitis, bronchitis, pharyngitis, whooping cough or influenza, use Respirine. \* \* \* As A Preventative Agent Against Surface Respiratory Infections. \* \* \* after attending the theatre, show, school or being in a crowded car or crowd of any kind. Also after you have been in the presence of persons afflicted with a cold or surface respiratory infection of any kind"; (circular in other packages) "It is also an effective treatment for bronchitis, whooping cough, and all respiratory ailments due to bacterial infections on the surface of the mucous membranes. \* \* \* The fact that chlorine gas has been used in the successful treatment of President Coolidge, Senators, Congressmen, Cabinet Officials, and hundreds of government and army employees in Washington, is the highest testimony of the value of chlorine gas in treating respiratory infections, i. e., colds, coryza, laryngitis, bronchitis, whooping cough or pharyngitis."

On April 13, 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.*

**24688. Misbranding of Ferond's Hair Grower and Tonic. U. S. v. 36 Dozen Jars of Ferond's Hair Grower and Tonic. Default decree of condemnation and destruction. (F. & D. no. 35123. Sample no. 28835-B.)**

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

On February 9, 1935, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 36 dozen jars of Ferond's Hair Grower and Tonic at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about January 18, 1934, by Sheray, Inc., from New York, N. Y., and charging misbranding in violation of the