

24692. Misbranding of A. I. R. (Asthma-Instant-Relief). U. S. v. 297 Bottles of A. I. R. Default decree of condemnation and destruction. (F. & D. no. 35375. Sample no. 24520-B.)

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

On April 15, 1935, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 297 bottles of A. I. R. (Asthma-Instant-Relief) at Atlantic City, N. J., alleging that the article had been shipped in interstate commerce on or about December 27 and December 29, 1934, and March 15, 1935, by the Health Pharmaceutical, Inc., from Chicago, Ill., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of a petroleum oil, a small proportion of methyl salicylate, water (51.8 percent), and an emulsifying agent.

The article was alleged to be misbranded in that certain statements appearing in the labeling falsely and fraudulently represented that it was effective in the treatment of asthma, hay fever, croup, bronchitis; and effective in the treatment of catarrhal bronchitis and other similar conditions.

On June 12, 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.*

24693. Misbranding of Fowlerine. U. S. v. 22 Bottles, et al., of Fowlerine. Default decrees of condemnation and destruction. (F. & D. nos. 35425, 35463, 35515. Sample nos. 28093-B, 28206-B, 28211-B.)

These cases involved a drug preparation the labeling of which contained unwarranted curative and therapeutic claims.

On April 27, May 4, and May 17, 1935, the United States attorney for the Eastern District of Missouri, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 70 bottles of Fowlerine at St. Louis, Mo., alleging that the article had been shipped in interstate commerce in various shipments between the dates of April 15 and May 11, 1935, by the Fowler Medicine & Chemical Co., from Memphis, Tenn., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of a sulphurated oil, turpentine oil, and methyl salicylate.

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 label) "For Kidney Bladder and Rheumatic Trouble"; (carton) "For Kidney Bladder and Rheumatic Trouble For The Kidneys. We recommend that women try it for periodical cramp or suppressions. Women can use in any condition without fear of evil results. Kidney Trouble Kidney Trouble brings on rheumatism, Bright's Disease, Diabetes, Dropsey, Heart Failure and other fatal ailments. Nearly every human being suffers from Kidney Trouble in its first stages. If you are suffering from Kidney or Bladder disorders, Rheumatism, Nervousness, indigestion, take Fowlerine. * * * We have received, and are yet receiving, thousands of letters from users of Fowlerine, who testify to its wonderful therapeutic effect in not only relieving, but totally eliminating the sordid conditions that come from disorders of the kidneys, stomach or generative organs. * * * Take 35 drops for cramp or colic, then drink a cup of hot water."

On June 5 and June 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.*

24694. Adulteration of tincture of squill. U. S. v. 2 Bottles and 4 Bottles of Tincture of Squill. Default decree of condemnation and destruction. (F. & D. no. 35436. Sample no. 22679-B.)

This case involved an interstate shipment of tincture of squill that had a potency of about one-fourth of that required by the United States Pharmacopoeia.

On April 26, 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 six bottles of

tincture of squill at New Orleans, La., alleging that the article had been shipped in interstate commerce in various shipments on or about March 27, 28, and 30, 1934, by the Southwestern Drug Corporation, from Houston, Tex., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of strength as determined by the test laid down in that authority, and its own standard was not stated on the container.

On May 21, 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.*

24695. Adulteration and misbranding of aconite and bryonia compound. U. S. v. 14,700 Tablets of Aconite and Bryonia Compound No. 1. Default decree of condemnation and destruction. (F. & D. no. 35456. Sample nos. 18999-B, 19487-B.)

This case involved a drug preparation which was adulterated and misbranded, since it was represented to contain appreciable amounts of aconite and belladonna, whereas it was practically devoid of aconite and belladonna activity.

On May 8, 1935, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 14,700 tablets of aconite and bryonia compound No. 1 at Dayton, Ohio, alleging that the article had been shipped in interstate commerce on or about January 31, 1935, by the C. M. Bundy Co., from Indianapolis, Ind., and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that its strength fell below the professed standard or quality under which it was sold, namely, "Tablet Aconite and Bryonia Compound No. 1 * * * Tinct. Aconite Root 7.10 min. * * * Tinct. Belladonna lvs 3.20 min."

Misbranding was alleged for the reason that the above-quoted statements appearing in the labeling were false and misleading.

On June 11, 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.*

24696. Misbranding of ichthyol ointment. U. S. v. 141 Tubes of Ichthyol Ointment. Default decree of condemnation and destruction. (F. & D. no. 35402. Sample no. 24300-B.)

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

On April 22, 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 141 tubes of ichthyol ointment at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about March 29, 1935, by the Petrolene Laboratories, from New York, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of sulphonated bitumen incorporated in petrolatum.

The article was alleged to be misbranded in that the following statements appearing on the carton label, "Ichthyol Ointment * * * Ichthyol is highly recommended for Eczema, Acne, Boils, Carbuncles, * * * Etc.," were statements regarding the curative or therapeutic effects of the article and were false and fraudulent.

On May 18, 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.*

24697. Adulteration and misbranding of fluidextract of belladonna leaves. U. S. v. 7 Pints and 2 Pints of Fluidextract Belladonna Leaves. Decrees of condemnation and destruction. (F. & D. nos. 35542, 35543. Sample nos. 28209-B, 35152-B.)

These cases involved interstate shipments of fluidextract of belladonna leaves which contained total alkaloids in excess of the maximum specified by the United States Pharmacopoeia.

On May 23, 1935, the United States attorneys for the Eastern District of Missouri and the Southern District of Indiana, acting upon reports by the