

Misbranding was alleged for the reason that the statement on the label "Chloroform USP", was false and misleading.

On November 28, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**24106. Misbranding of Fink's Magic Oil. U. S. v. 68 Bottles of Fink's Magic Oil. Default decree of condemnation and destruction. (F. & D. no. 34287. Sample no. 16607-B.)**

This case involved a drug preparation which was misbranded because of unwarranted curative and therapeutic claims appearing in the labeling. The article was further misbranded since it was represented to be an oil, whereas it was not an oil.

On November 7, 1934, 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 68 bottles of Fink's Magic Oil at Newburgh, N. Y., alleging that the article had been shipped in interstate commerce on or about July 27, 1930, by H. G. G. Fink's laboratories, from Cincinnati, Ohio, and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of water, alcohol (48.1 percent), and small amounts of essential oils including oil of cassia, methyl salicylate, and oil of sassafras.

The article was alleged to be misbranded in that the statements, (bottle and carton) "Fink's Magic Oil" and (circular) "Fink's Magic Oil \* \* \* Fink's Magic Oil Must be Diluted One Part Oil to Ten Parts Water", were false and misleading since the article was not an oil. Misbranding was alleged for the further reason that the labeling contained false and fraudulent claims regarding its effectiveness in the treatment of rheumatism, toothache, earache, sore throat, pains and aches, cramps, cholera morbus, sore throat, diarrhoea, chills and fever, cholera, colic, lameness or pain in back, limbs or joints, coughs and colds, poisons, frozen parts, deafness, corns or warts, chilblains, bunions and frozen feet, tired, aching sore feet, mumps, catarrh in the head, asthma, eczema, water tetter, acne, etc., boils, pimples, ring-worm, cuts, open sores, bronchitis, and griping pains.

On December 13, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**24107. Misbranding of extract of witch hazel. U. S. v. 10 Dozen Bottles of Extract of Witch Hazel. Default decree of condemnation and destruction. (F. & D. no. 34374. Sample no. 21054-B.)**

This case involved a shipment of extract of witch hazel which was labeled with unwarranted curative and therapeutic claims.

On November 14, 1934, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10 dozen bottles of extract of witch hazel at Scranton, Pa., alleging that the article had been shipped in interstate commerce, on or about October 22, 1934, by the Lander Co., from Binghamton, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of volatile witch hazel constituents, alcohol, and water.

The article was alleged to be misbranded in that the following statements on the label regarding its curative or therapeutic effects were false and fraudulent: "An effective local remedy indicated in all cases of rheumatism \* \* \* piles, hemorrhages, etc."

On February 18, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**24108. Adulteration and misbranding of tincture opium camphorated (paregoric). U. S. v. 394 One-Pint Bottles of Tincture Opium Camphorated (Paregoric). Default decree of condemnation and destruction. (F. & D. no. 34382. Sample no. 4537-B.)**

This case involved an interstate shipment of tincture opium camphorated which was represented to conform to the requirements of the United States Pharmacopoeia, but which contained a smaller proportion of opium than the pharmacopoeial product.

On or about November 16, 1934, 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 394 pint bottles of tincture of opium camphorated at Perry Point, Md., alleging that the article had been shipped in interstate commerce on or about October 23, 1934, by B. R. Elk & Co., Inc., from Garfield, N. J., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Tincture Opium Camphorated (Paregoric) U. S. P. X. \* \* \* Opium 0.4%."

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, quality, and purity as determined by the test laid down in the said pharmacopoeia, and its own standard was not stated on the label.

Misbranding was alleged for the reason that the statement on the label, "Tincture Opium Camphorated (Paregoric) U. S. P. X. \* \* \* 0.4%", was false and misleading.

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

M. L. WILSON, *Acting Secretary of Agriculture.*

**24109. Misbranding of Terraline Plain and Terraline Creosote. U. S. v. 52 Bottles of Terraline Plain and 32 Bottles of Terraline Creosote. Default decree of condemnation and destruction. (F. & D. nos. 34420, 34421. Sample nos. 13469-B, 13470-B.)**

This case involved a product, known as Terraline Plain, which consisted essentially of a partially purified fluorescent petroleum oil; and a product, known as Terraline Creosote, which consisted of a partially purified fluorescent petroleum oil with creosote. The articles were misbranded because of unwarranted curative and therapeutic claims in the labeling, and because they were labeled to convey the impression that the former consisted entirely, and the latter principally, of thoroughly purified liquid petrolatum.

On November 19, 1934, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 52 bottles of Terraline Plain and 32 bottles of Terraline Creosote at St. Louis, Mo., alleging that the articles had been shipped in interstate commerce on or about December 29, 1933, by the Kells Co., from Newburgh, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended. The articles were labeled in part: "Terraline \* \* \* The Hillside Chemical Company Newburgh, N. Y., U. S. A."

The articles were alleged to be misbranded in that the statement on the labels, "Petroleum Purificatum", was false and misleading, since they did not consist of purified liquid petrolatum. Misbranding was alleged for the further reason that the following statements appearing on the labels were statements regarding the curative and therapeutic effects of the articles and were false and fraudulent: ("Terraline Plain") "Terraline Plain is prescribed for \* \* \* autointoxication, with excellent results. Terraline Plain is a desirable vehicle for medicaments in the treatment of bronchial and pulmonary affections"; ("Terraline Creosote") "Terraline is an excellent base for the treatment of pulmonary disorders with creosote—bronchial catarrh \* \* \* and cough—a \* \* \* healing influence on the bronchial mucus membrane."

On December 22, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the products be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**24110. Adulteration and misbranding of Watkins Veterinary Balm. U. S. v. 178 Cans of Watkins Veterinary Balm. Default decree of condemnation and destruction. (F. & D. no. 34438. Sample no. 1543-B.)**

This case involved a drug preparation, the labels of which contained unwarranted curative, therapeutic, antiseptic, and germicidal claims.

On November 30, 1934, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 178 cans of Watkins Veterinary Balm at Oakland, Calif., alleging that the article had been shipped in interstate commerce on or about July 10, 1934, by the J. R. Watkins Co., from Winona, Minn., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.