

23292. Misbranding of Brumfield's Asthma and Cough Remedy. U. S. v. 8 Bottles and 41 Bottles of Brumfield's Asthma and Cough Remedy. Default decree of destruction. (F. & D. no. 33310. Sample nos. 3343-B, 3344-B.)

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

On August 29, 1934, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 8 large bottles and 41 small bottles of Brumfield's Asthma and Cough Remedy at Kansas City, Mo., alleging that the article had been shipped in interstate commerce, on or about November 27, 1933, by J. P. Brumfield, from Galena, Kans., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of chloroform, an antimony compound, a fatty oil, alcohol, glycerin, gum, sugar, and water.

The article was alleged to be misbranded in that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the article, were false and fraudulent: (Bottle label, both sizes, and wrapper of large size) "For every kind of cough * * * asthma and cough * * * for coughs, asthma, bronchial trouble, croup, whooping cough, flu, cough, chronic cough, lung trouble, miner's cough, short breath, sore throat, relieves paroxysms of * * * whooping cough, makes the phlegm rise easily for consumptives."

On October 9, 1934, no claimant having appeared, judgment was entered finding the product misbranded and ordering that it be destroyed.

M. L. WILSON, Acting Secretary of Agriculture.

23293. Misbranding of Amenoco Capsules. U. S. v. 9 Packages of Amenoco Capsules. Default decree of condemnation and destruction. (F. & D. no. 33312. Sample no. 7307-B.)

This case involved a drug preparation, the label of which contained false and misleading claims as to its composition and unwarranted claims as to its alleged curative and therapeutic effects.

On August 29, 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 nine packages of Amenoco Capsules at Wilkes-Barre, Pa., alleging that the article had been shipped in interstate commerce, on or about July 20, 1934, by the Purity Drug Co., Inc., 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 quinine sulphate (0.86 grains per capsule), aloe, powdered plant material, and essential oils including pennyroyal oil.

The article was alleged to be misbranded in that the statement on the label, "A combination of pennyroyal; tansy; parsley; quinine; rue; ergotin; savin and vegetable oils in soft gelatine capsules", was false and misleading, since the article contained, among other ingredients, aloe. Misbranding was alleged for the further reason that the statements on the label, regarding the curative or therapeutic effects of the article, "Amenoco * * * for the treatment of Menstrual Disorders", were false and fraudulent.

On September 21, 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.

23294. Misbranding of Syn-O-Scope outfits and Synex refills. U. S. v. 200 Syn-O-Scope Outfits and 288 Synex Refills. Consent decree of condemnation. Medicine ordered destroyed, and outfits returned to claimant. (F. & D. no. 33394. Sample nos. 11202-B, 11210-B.)

This case involved Syn-O-Scope outfits, each consisting of a bottle of Synex, an apparatus for its use, and a quantity of refills for the outfits. The labels on the bottles of Syntex and a circular shipped with the outfits contained unwarranted curative and therapeutic claims.

On September 5, 1934, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 200 Syn-O-Scope outfits and 288 Synex refills at Seattle, Wash., alleging that the articles had been shipped in interstate commerce, on or about August 9, 1934, by the Syn-O-Scope Laboratories, from Los Angeles, Calif., and charging misbranding in violation of the Food and Drugs Act as amended.