

fits be delivered to the claimant after the medicine contained therein was removed and destroyed, and that the refills be also destroyed.

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

23295. Adulteration and misbranding of Booth's Hyomei. U. S. v. 4 Booth's Hyomei Pocket Inhaler Outfits and 23 Booth's Hyomei Refills. Default decree of condemnation and destruction. (F. & D. no. 33395. Sample no. 10829-B.)

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

On September 10, 1934, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 4 Booth's Hyomei Pocket Inhaler Outfits and 23 Booth's Hyomei Refills at Portland, Oreg., alleging that the articles had been shipped in interstate commerce, on or about March 21 and July 3, 1934, by the McCullough Drug Co., from Lawrenceburg, Ind., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The articles were labeled in part: "Booth's Hyomei * * * An Antiseptic Breathing Treatment * * * Booth's Hyomei Company Sole Distributors Ithaca, N. Y., Toronto, Ont."

Analysis showed that the liquid consisted essentially of volatile oils including eucalyptus oil (70 percent), alcohol, and liquid petrolatum. Bacteriological examination showed that neither the liquid nor its vapor was antiseptic.

Adulteration was alleged in that the strength of the inhaler material fell below the professed standard under which it was sold, namely, (carton) "An Antiseptic Breathing Treatment", since it was not antiseptic.

Misbranding was alleged for the reason that the statement on the carton label, "An Antiseptic Breathing Treatment", was false and misleading. Misbranding was alleged for the further reason that the bottle label, carton, and circulars shipped with the articles, contained false and fraudulent representations regarding its effectiveness in the treatment of catarrh of the head and throat, hay fever, catarrhal coughs, bronchitis, croup, spasmodic croup, bronchial catarrh, catarrhal laryngitis, stuffed-up head, hoarseness, husky voice, raw and inflamed membrane of the nose and throat, protracted or frequent colds, snuffles, difficult breathing or tightness of the chest, catarrhal coughs and colds of children, and weak and hoarse voice.

On October 24, 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.*

23296. Misbranding of Mixer's Cancer and Scrofula Syrup. U. S. v. 5 Bottles of Mixer's Cancer and Scrofula Syrup. Default decree of condemnation and destruction. (F. & D. no. 33397. Sample no. 6140-B.)

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

On September 10, 1934, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of five bottles of Mixer's Cancer and Scrofula Syrup at Columbia, S. C., alleging that the article had been shipped in interstate commerce, on or about July 10, 1934, by the Mixer Medicine Co., from Hastings, Mich., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of potassium iodide (2.5 grams per 100 milliliters), extracts of plant drugs including a laxative drug, sugar, alcohol, and water, flavored with methyl salicylate.

The article was alleged to be misbranded in that the statements on the carton and bottle label, and in the booklet shipped with the article, concerning its curative and therapeutic effects in the treatment of cancer—including cancer of the lip, nose, face, eye, forehead, cheek, chin, eyebrow, ear, neck, tongue, shoulder, breast, womb, and knee—scrofulous affections, erysipelas, St. Anthony's fire, tinea capitis, scaldhead, milk crust, salt rheum, ringworm, tetter, tumors, ulcers, boils, pustules, blotches, pimples, catarrh, laryngitis, bronchitis, dyspepsia, piles, fistula, diseases peculiar to the glandular and assimilative systems, scrofula and kindred diseases, abscesses, all blood diseases, sores, fever sores, goiter, eruptions, malignant conditions or growths, rheumatism, eczema, cancerous tumor, chronic ulcer, running sore, ulcers in the throat, asthma, catarrh of the stomach, enlarged glands, tuberculosis of the bones, sore eyes, blindness, car-