

contained ingredients which might affect adversely the health of the consumer, and the incorporation in a food product would not be approved by authorities in dietetics.

Misbranding was alleged under the provisions of the law applicable to drugs in that the statement on the carton of the large size, "The formula is compounded in the most approved and modern manner to facilitate assimilation", was false and fraudulent.

On July 31, 1934, no claimant having appeared, judgment of condemnation and forfeiture was entered, and destruction of the product was ordered.

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

**23009. Misbranding of Murray's Salve. U. S. v. 30 Jars of Murray's Salve. Default decree of condemnation and destruction. (F. & D. no. 33060. Sample no. 50646-A.)**

This case involved a drug product which was labeled with unwarranted therapeutic claims.

On July 11, 1934, 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 30 jars of Murray's Salve at Cincinnati, Ohio, alleging that the article had been shipped in interstate commerce on or about December 18, 1931, by the Where Laboratories, from Connersville, Ind., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted of wool fat, coal tar, charcoal, and water.

It was alleged in the libel that the article was misbranded in that the statements on the circular, "Blood Poisoned Sores. \* \* \* Boils, Carbuncles, Rusty Nail Incision, Pimples \* \* \* Itch, Eczema \* \* \* Tetter, Acne, Swollen Joints \* \* \* All Cuts, Piles, Gangrene, Bone Ulcers, All Infected Sores \* \* \* Pyorrhea, Toothache, Wens. \* \* \* Erysipelas, Felons \* \* \* Pyorrhea—Rub on Gums. Rheumatism—Bind on Joints. \* \* \* Sore Throat", regarding its curative and therapeutic effects, were false and fraudulent.

On August 23, 1934, no claimant having appeared, judgment of condemnation was entered and destruction of the product was ordered.

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

**23010. Misbranding of Dakota Jack's Cowboy Liniment. U. S. v. 54 Bottles of Dakota Jack's Cowboy Liniment. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 33061. Sample no. 26848-A.)**

This case involved a drug product which was labeled with unwarranted therapeutic claims. It also was claimed for the article that it was composed of roots and herbs, whereas it was not.

On July 11, 1934, 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 54 bottles of Dakota Jack's Cowboy Liniment at Cincinnati, Ohio, alleging that the article had been shipped in interstate commerce, on or about March 27, 1933, by the Dakota Jack-White-Moon Remedy Co., from Louisville, Ky., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of a volatile oil, such as turpentine oil, ammonia (1 percent), chloroform, linseed oil, and water.

It was alleged in the libel that the article was misbranded in that the statement in the circular, "All my Remedies are made with pure, sweet, fresh Roots and Herbs", was false and misleading. Misbranding was alleged for the further reason that the following statements regarding its curative and therapeutic effects were false and fraudulent: (Carton) "To be used externally for pain \* \* \* For Pain \* \* \* Relieves Lame Back but if you have constant backache your kidneys are out of order"; (circular) "An instant relief from pain \* \* \* deafness, \* \* \* toothache, earache, \* \* \* and rheumatic pains. \* \* \* For Toothache—Rub gums freely with liniment and put some in tooth. \* \* \* For Rheumatism—Rub parts affected hard and fast and keep rubbing until relieved. But if you have rheumatism use in connection with our Cheyenne Indian Rheumatism Remedy. \* \* \* For Croup and Sore Throat \* \* \* For Lame or Weak Back—Rub in all the liniment that will penetrate, then bake well by the fire, then rub again. If this don't stop it use Kidney and Bladder Remedy No. 2, for kidney troubles.

\* \* \* For Deafness \* \* \* Directions for Diseases Among Horses For Sweeney—Apply all the Liniment that you can, iron in with a hot smoothing iron. If this does not cure, stick your knife to the bone two or three times; apply the Liniment freely. For Fistula \* \* \* For Spavin—It does not take off the knots in every case, but stops it from growing and prevents lameness.”

On August 23, 1934, no claimant having appeared, judgment of condemnation and forfeiture was entered, and destruction of the product was ordered.

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

**23011. Adulteration and misbranding of Molle. U. S. v. 18 Dozen Tubes and 19 Dozen Jars of Molle. Default decree of destruction. (F. & D. no. 33066. Sample nos. 41441-A, 41442-A.)**

This case involved a product labeled with unwarranted antiseptic claims.

On July 11, 1934, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 18 dozen tubes and 19 dozen jars of Molle at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce, on or about March 20, 1934, by the Cummer Products Co., from Bedford, Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Bacteriological tests showed that the article failed to kill a culture of *Staphylococcus aureus* in 30 minutes at body temperature.

The article was alleged to be adulterated in that its strength fell below the professed standard under which it was sold (carton of jar, label on tube, and circular accompanying both jar and tube) “Antiseptic.”

Misbranding was alleged in that the statement “Antiseptic” was false and misleading.

On October 15, 1934, no claimant having appeared, judgment ordering destruction was entered.

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

**23012. Misbranding of Parmint. U. S. v. 176 Bottles and 28 Bottles of Parmint. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 32871, 33081. Sample nos. 65644-A, 70655-A.)**

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

On June 19, 1934, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 176 bottles of Parmint at Chicago, Ill. On July 16, 1934, a libel was filed in the Middle District of Pennsylvania against 28 bottles of Parmint at Scranton, Pa. It was alleged in the libels that the article had been shipped in interstate commerce, in part on or about February 19, 1934, and in part on or about March 19, 1934, by Parmint, Inc., from Binghamton, N. Y., into the States of Illinois and Pennsylvania, respectively, and that it was misbranded in violation of the Food and Drugs Act as amended. The article was labeled in part: (Circular) “Parmint, Inc. Binghamton, New York.”

Analysis showed that the article consisted essentially of iron and ammonium citrate (14.6 grams per 100 milliliters), ammonium chloride (11.9 grams per 100 milliliters), extracts of plant drugs including a pungent drug such as licorice and red pepper or ginger, and flavoring oils such as orange oil, peppermint oil, and methyl salicylate.

The libels alleged that the article was misbranded in that the following statements regarding its curative or therapeutic effects, appearing in a circular shipped with the article, were false and fraudulent: “A Symptom and Its Location in the Body Mucus secretion is a symptom; not a disease in itself. All mucous surfaces may be affected. (Most often it is those of the air passages, either the nose and throat or the bronchial tubes.) Nose and throat cases are the most frequent and are commonly called Colds. When the bronchial tubes are affected, the most used name is Bronchitis. When the condition is constant the patient suffers from coughing, sneezing and other irritations which make the victim of the trouble think these symptoms are a disease in themselves. Less often the lining membranes of the stomach and intestines and of the glandular ducts leading into the latter, may be similarly affected. Irritated conditions may be restricted to one pronounced location in the body, or they may be general. What the Symptom is This discharge as usually referred to, is the result of chronic irritation of the mucous membranes of a part, caused by a systemic condition of the body which permits it to remain in action and