

22973. Misbranding of Hart's Swedish Asthma and Hay Fever Medicine. U. S. v. 11 Packages, et al., of Hart's Swedish Asthma and Hay Fever Medicine. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 32591, 32592. Sample nos. 68022-A, 68023-A, 68026-A.)

These cases involved various lots of a drug preparation, the labels of which bore unwarranted curative and therapeutic claims. The label on one of the lots represented that the article contained alcohol, whereas it contained no alcohol.

On April 23 and April 25, 1934, the United States attorney for the Western District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 164 packages of Hart's Swedish Asthma and Hay Fever Medicine at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce, in various shipments, on or about August 24, 1933, January 18 and March 28, 1934, by Hart's Medicine Co., from Buffalo, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of potassium iodide, approximately (12 grams per 100 milliliters), a bitter drug, glycerin, and water, colored pink.

The article was alleged to be misbranded in that certain statements on the wrapper, bottle label, and in the circular, regarding its curative and therapeutic effects, falsely and fraudulently represented that it was effective as a preventative, treatment, and cure for asthma, hay fever, bronchial trouble, and bad cough, and that it could be administered indefinitely to the weakest stomach without causing any disturbance. Misbranding of one lot was alleged for the further reason that the statement on the bottle label and wrapper, "Pure Grain Alcohol, 4 per cent", was false and misleading, since the article contained no alcohol.

On June 4, 1934, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

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

22974. Misbranding of Katro-Lek. U. S. v. 14 Bottles and 14 Bottles of Katro-Lek. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32597. Sample nos. 67664-A, 67665-A.)

This case involved a drug preparation that was labeled with unwarranted curative and therapeutic claims.

On April 26, 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 28 bottles of Katro-Lek at Scranton, Pa., alleging that the article had been shipped in interstate commerce, on or about February 19, 1934, by the W. Wojtasinski Drug Co., from Boston, Mass., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of small proportions of iron and ammonium, extracts of plant drugs including a laxative drug, beef extract, a sugar, and water. It had an acid reaction.

The article was alleged to be misbranded in that certain statements on the carton and in the circular falsely and fraudulently represented that it was a stomach remedy, and was effective in the treatment of stomach trouble, gastritis, dyspepsia, indigestion, stomach catarrh, headache, nervousness, chronic constipation, and pains and dizziness in the head; effective in increasing red blood corpuscles; effective in restoring health and strength in run-down conditions; effective as a body food; and effective in regulating the digestive organs and in giving tone to the body.

On June 30, 1934, no claimant having appeared, judgment of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

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

22975. Misbranding of Raz-Mah. U. S. v. 64 Packages, et al., of Raz-Mah. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32602. Sample nos. 64254-A, 64255-A, 64256-A.)

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

On April 28, 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 sixty-four 35-cent packages, two-hundred and two \$1 packages, and three \$5 packages of Raz-Mah at Chicago, Ill., alleging that the article had been shipped in interstate

commerce by the McKesson Farrand Williams Drug Co., from Detroit, Mich., that it had been received at Chicago, Ill., between the dates of September 13, 1933, and February 17, 1934, and that it was misbranded in violation of the Food and Drugs Act as amended. The article was labeled in part: "Raz-Mah * * * Manufactured by Templetons Incorporated * * * Detroit, Michigan."

Analyses of samples by this Department showed that the \$1 and \$5 packages consisted of capsules containing in each: Acetylsalicylic acid (approximately 0.3 gram), caffeine, and charcoal; and that the 35-cent packages consisted of capsules containing acetylsalicylic acid, caffeine, and charcoal, white pills composed of potassium nitrate, plant material, including a laxative drug, uva ursi, red pepper, and juniper oil, and blue pills containing drugs of vegetable origin including aloin, red pepper, and strychnine.

The libel alleged that the article was misbranded in that the following statements regarding its curative and therapeutic effects, appearing in the labeling, were false and fraudulent: (\$1 carton) "Raz-Mah A Medicine to Alleviate The Acute Paroxysms or Distressing Conditions arising from Asthma and Hay Fever Raz-Mah Directions Two Capsules Immediately Before or After Each Meal. If Suffering at Bedtime an Extra Dose May be Taken"; (35-cent carton) "Raz-Mah, A Medicine To Alleviate The Acute Paroxysms or Distressing Conditions Arising from Asthma, Bronchitis, Hay Fever * * * Directions For Asthma, Bronchitis, Hay Fever Take 2 Raz-Mah capsules immediately before or after each meal. If suffering at bedtime an extra dose may be taken. * * * Children 7 to 15 years half the adult dose"; (\$5 carton) "Raz-Mah is a medicine to alleviate the acute paroxysms or distressing conditions arising from Asthma and Hay-Fever Bronchitis * * * Directions two Raz-Mah an hour before retiring and one or two at meal time as required; further directions enclosed. To Sleep To-night Use Raz-Mah To-Day." The libel further alleged that circulars shipped with the article contained false and fraudulent claims relative to its effectiveness in the treatment of wheezy breathing, mucous gatherings in the bronchial tubes, shortness of or gasping for breath, loss of sleep through difficult breathing, stubborn and periodic head colds, bronchial asthma and other bronchial irritations, asthma and bronchorrhoea, constriction in the throat and chest, with difficult deglutination and marked innervation, accumulation of mucus and sanious matter, renal asthma, rose cold, headache, depression, low spirits, and kidney trouble.

On July 8, 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.*

22976. Misbranding of Cox-Cis. U. S. v. 47 Packages, et al., of Cox-Cis. Default decree of condemnation, forfeiture, and destruction.
(F. & D. no. 32604. Sample nos. 54697-A, 54698-A, 64699-A.)

This case involved three lots of a drug product known as Cox-Cis. Two of the lots were accompanied by a circular containing unwarranted curative and therapeutic claims. The third lot was labeled, "Cox-Cis for Poultry", to convey the impression that it was effective in the treatment of coccidiosis of poultry, whereas it was not.

On April 26, 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 three lots consisting of 47, 71, and 131 packages of Cox-Cis at Ellicott City, Md., alleging that the article had been shipped in interstate commerce, on or about October 3, and October 13, 1933, and February 16, 1934, by the Kloister Laboratories, from Ephrata, Pa., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of beta naphthol (approximately 2½ percent) and limestone (approximately 97½ percent).

The libel alleged that two of the lots were misbranded in that certain statements on the carton and in a circular shipped with the article falsely and fraudulently represented that it was effective in the prevention and treatment of coccidiosis (bloody diarrhea); in the treatment of all forms of intestinal intoxication and infection; in keeping the intestinal tract clear; and as effective in keeping chickens healthy and in causing better egg production. Misbranding of the remaining lot was alleged for the reason that the statement on the carton label, "Cox-Cis For Poultry", was false and fraudulent.

On June 12, 1934, no claimant having appeared, judgment of condemnation and forfeiture was entered, and the product was ordered destroyed.

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