

On April 16 and May 4, 1934, no claimant having appeared for the property, judgments of condemnation were entered and it was ordered by the court that the products be destroyed by the United States marshal.

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

22328. Adulteration and misbranding of Furstenberg's Felsol. U. S. v. 68 Packages of Furstenberg's Felsol. Default decree of condemnation and destruction. (F. & D. no. 30899. Sample no. 12716-A.)

This case involved a quantity of Felsol which contained undeclared acetphenetidin, a derivative of acetanilid. The labeling bore a statement of the ingredients, and claims that the article was harmless even when used continuously; that it would not produce bad after-effects, and similar claims; whereas it was not of the composition declared, and contained drugs which might be harmful. The labeling also bore unwarranted curative and therapeutic claims.

On August 11, 1933, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia, holding a district court, a libel praying seizure and condemnation of 68 packages of Furstenberg's Felsol at Washington, D.C., alleging that the article had been shipped in interstate commerce on or about July 7, 1933, by the American Felsol Co., from New York, N.Y., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it contained antipyrine (phenazone), acetphenetidin (a derivative of acetanilid), caffeine, and an iodine compound.

It was alleged in the libel that the article was adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, namely, (circular) "'Felsol' consists of Metozin 0.9 (Phenazone 0.25, Anilipyrin 0.4, Iodopyrin 0.25), Caffein 0.1, Digitalis and Strophanthus Glucosides 0.0015, and the Alkaloid Lobelia Inflata 0.005", since it did not have the composition claimed.

Misbranding was alleged for the reason that the following statements appearing in the labeling were false and misleading: (Carton) "Notice Felsol is free of all narcotics or habit forming drugs and is Guaranteed to be absolutely harmless even when used continuously. The most delicate patients need not fear any bad after effects in regard to the heart, stomach or kidneys. The medicine is not cumulative in its action: The dosage does not have to be increased with extended use of the medicine"; (circular) "The special process employed for compounding the glucosides and the lobelia preparation represents a new departure in chemistry. * * * produces no bad after effects, such as headache, vomiting, etc. * * * 'Felsol'—can be used in cases of cardiac affections. * * * 'Felsol'—is not cumulative in its action and the dose does not have to be increased with protracted use of the medicine. 'Felsol'—does not produce bad after effects, such as headache, vomiting, exhaustion, etc.; it stimulates the desire for mental and physical activity."

Misbranding was alleged for the further reason that the following statements appearing in the labeling, regarding the curative and therapeutic effects of the article, were false and fraudulent: (Carton) "Felsol Indicated in Asthma and Hay Fever * * *"; (circular) "Felsol is indicated in: Bronchial and Cardiac Asthma Angina Pectoris Chronic Bronchitis Spasmodic or Convulsive Cough Hay Fever * * * This special process of compounding as well as the ideal selection of ingredients are the real cause of the distinguished therapeutic effects obtained with 'Felsol.' The various ingredients stimulate the pulmonary and cardiac organs in such a way that the resultant effects supplement or increase each other, which in turn permits a reduction of the percentage of these ingredients to a minimum. * * * To check an attack of asthma one to two powders are generally required, the second powder to be given from two to three hours after the first. In rare cases a third powder may be found necessary. It is always advisable to continue taking a few powders a day for several days after the attack. Where the Physician has no special reason to prescribe otherwise, the following general directions are given: First week:—One powder three times daily one hour after meals. Second week:—one powder morning and evening. Third week:—one powder every morning. After the patient has sufficiently recovered, the dosage may be still further reduced and a powder twice a week has proved sufficient in many cases to maintain

the patient's well being. In less severe cases the dosage may be reduced from the beginning of the treatment, while in severe chronic cases of long standing it may have to be increased. Where it is not deemed necessary to use Felsol continuously the patient should be advised, in case symptoms of an approaching attack are perceived, such as nervous excitation, headache, itching of the nose or the skin, severe sneezing, yawning and other subjective symptoms, to start taking from one to two powders during the day. In this way the actual spasm is usually to the greatest extent and often completely prevented. * * * 'Felsol'—can be used in cases of cardiac affections."

Misbranding was alleged for the further reason that the package failed to bear on its label a declaration of the quantity or proportion of acetphenetidin, a derivative of acetanilid, contained in the article.

On October 18, 1933, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

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

22329. Misbranding of Wyeth's Wycones. U. S. v. 58 Packages of Wyeth's Wycones. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31879, 31880. Sample nos. 66691-A, 66696-A.)

Examination of a sample of Wyeth's Wycones showed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On January 29, 1934, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 58 packages of Wyeth's Wycones at Denver, Colo., consigned by John Wyeth & Bro., alleging that the article had been shipped in interstate commerce, in various consignments, on or about April 29, May 27, and August 11, 1932, from Philadelphia, Pa., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of oxyquinoline sulphate, 1 grain; boric acid, 5 grains; salicylic acid, 0.9 grain; and cocoa butter, 32 grains per cone.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects, appearing in the labeling, were false and fraudulent: "Indications: Leukorrhoea, simple inflammations of the vaginal tract * * * etc."

On April 2, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

22330. Adulteration and misbranding of aspirin tablets. U. S. v. 24 Display Cards of Aspirin Tablets. Default decree of condemnation and destruction. (F. & D. no. 32032. Sample no. 43085-A.)

Samples of alleged 5-grain aspirin tablets were found to contain less than 5 grains of aspirin. The article also contained an excessive amount of free salicylic acid.

On or about February 24, 1934, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 display cards each containing twelve 5-grain aspirin tablets at Hartford, Conn., alleging that the article had been shipped in interstate commerce, on or about February 1, 1934, by Feldman-Martin, Inc., from New York, N.Y., and charging adulteration and misbranding in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard or quality under which it was sold, since the tablets contained materially less aspirin than the amount declared on the label, and also an excess of free salicylic acid.

Misbranding was alleged for the reason that the statement on the label, "5 Gr. Aspirin * * * Tablets", was false and misleading.

On April 12, 1934, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

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