

tions of the system manifested by sallow complexion and circles under the eyes, pimples, boils, carbuncles, abscesses, enlarged glands and scrofula. In liver troubles such as—torpid, sluggish liver, congestion of the liver, gall stones and jaundice, Dr. Reilly's Herb Tonic opens up the natural channels of the liver and brings about a healthy, active condition of the organ. In all forms of stomach and bowel trouble such as heart burn, slow digestion, belching of gases, fermentation, loss of appetite, \* \* \* All catarrhal conditions of the system wherever located respond quickly to Dr. Reilly's Herb Tonic. It is wonderfully beneficial in all forms of kidney and bladder troubles. The results are wonderful. Tuberculosis patients are wonderfully benefited and helped to overcome the action and poison of the T. B. germ. Nervous patients are loud in their praise for the benefits they have received from Dr. Reilly's Herb Tonic. It is wonderful in insomnia, nervous headaches, dizziness, irritable nerves and disturbed sleep. Rheumatic patients are greatly benefited and helped to recovery by Dr. Reilly's Herb Tonic. It drives out the uric acid from the system. Children as well as adults are wonderfully benefited by Dr. Reilly's Herb Tonic. Give the children from 10-15 drops three times a day after meals mal-nutrition, rickets, anemia, enlarged swollen glands and all conditions where the child is below normal in growth and strength"; (bottle label) "Tonic \* \* \* absolutely harmless \* \* \* mild stimulating action on the system \* \* \* A Restorative Tonic For The Entire System"; (carton) "Tonic \* \* \* absolutely harmless \* \* \* mild stimulating action on the system \* \* \* A Restorative Tonic For The Entire System."

On April 5, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

**29006. Misbranding of Special Blood Purifier. U. S. v. 24 Bottles of Hon. Prof. Dr. Jos. Herman's Special Blood Purifier. Default decree of confiscation and destruction. (F. & D. No. 42092. Sample No. 9410-D.)**

The labeling of this product bore false and fraudulent curative and therapeutic claims and false and misleading statements regarding its composition.

On April 5, 1938, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 bottles of Special Blood Purifier at Wheeling, W. Va.; alleging that the article had been shipped in interstate commerce on or about January 19 and 20, 1938, from Pittsburgh, Pa., by E. Freithofer Manufacturing Co.; and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of the article showed that it consisted essentially of small proportions of an iodide, an iodate, sodium carbonate, and extracts of plant materials dissolved in water.

It was alleged to be misbranded in that certain statements regarding its curative or therapeutic effects, on the carton and bottle and in an accompanying circular, falsely and fraudulently represented that it was effective in the treatment of stomach ailments, ulcers, abscesses, blood poisons, skin diseases, kidney trouble, rheumatism, female complaints, anemia, headaches, cramps, paralysis, arthritis, neuritis, eczema, infantile paralysis, stroke, ulcers of the stomach, abscesses of the ears, sugar diabetes, and bladder trouble. It was alleged to be misbranded further in that the statement on the bottle label, "This medicine mixed with water is mineral water," was false and misleading when applied to an article of the composition disclosed by the analysis.

On May 17, 1938, no claimant having appeared, judgment of confiscation was entered and the product was ordered destroyed.

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

**29007. Misbranding of Fisher's Pugilitis Pendicitis and Columbine Massage Cream; adulteration and misbranding of Fisher's Massage Liniment. U. S. v. 16 Bottles of Fisher's Pugilitis Pendicitis, et al. Default decree of condemnation and destruction. (F. & D. Nos. 41889, 41890, 41891. Sample Nos. 165-D, 166-D, 167-D.)**

The labeling of all these products bore false and fraudulent curative and therapeutic claims. In addition, the labeling of the Pugilitis Pendicitis bore a false and misleading statement that it was guaranteed under the Food and Drugs Act; and the Massage Liniment contained less alcohol than declared on the label.

On March 11, 1938, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the district court

a libel praying seizure and condemnation of 16 bottles of Fisher's Pugilitis Pendicitis; 6 jars of Fisher's Columbine Massage Cream, and 2 bottles of Fisher's Massage Liniment at Tucson, Ariz.; alleging that the articles had been shipped in interstate commerce on or about February 7, 1938, from Denver, Colo., by George B. Fisher; and charging misbranding of all the products and adulteration of Fisher's Massage Liniment in violation of the Food and Drugs Act as amended.

Analyses of samples showed that the articles consisted essentially as follows: (Pugilitis Pendicitis) of water, alcohol, magnesium sulphate, and flavoring materials; (massage cream) of petroleum oil and perfume; and (liniment) of water and alcohol (8.9 percent by volume) with small proportions of ammonium carbonate and iodides.

The liniment was alleged to be adulterated in that its strength fell below the professed standard or quality under which it was sold, namely, "Alcohol 26.88%," since it contained less than 26.88 percent of alcohol.

It was alleged to be misbranded in that its package failed to bear on its label a statement of the quantity or proportion of alcohol contained therein, since the declaration of alcohol was incorrect. It was alleged to be misbranded further in that the following statement borne on the label falsely and fraudulently represented its curative or therapeutic effects: (Bottle) "For Developing the Breast and Chest \* \* \* For Cuts"; (carton) "Burns, Cuts, \* \* \* Etc. \* \* \* It Relieves Pain It eases a sore side It Beats the World to use in Childbirth."

The Pugilitis Pendicitis was alleged to be misbranded in that the following statement appearing on the carton was false and misleading since it created the impression that the article had been examined and approved by the Government of the United States, that the Government guaranteed that it complied with the law and that the article did so comply; whereas it had not been so approved and guaranteed and did not comply with the law: "Guaranteed by The Fisheropathic College Association under the Pure Food and Drugs Act, June 30, 1906. Serial No. 4533." It was alleged to be misbranded further in that certain statements set forth in a booklet contained in the package falsely and fraudulently represented the curative or therapeutic effectiveness of the article in the treatment of appendicitis, ptomaine poisoning, malnutrition, autotoxaemia, abscess, ovarian or uterine (leucorrhoea), gastritis, peritonitis, amenorrhoea (absence of menstrual flow), blood poisoning, child bearing (septicaemia or pyaemia), constipation, and hay fever.

The massage cream was alleged to be misbranded in that the following statements appearing in a circular contained in the package falsely and fraudulently represented the curative or therapeutic effectiveness of the article: "For \* \* \* Developing the Bust, Removing Wrinkles, Freckles, Black-heads, Skin Eruptions, Eczema, Scalp Diseases, Ring-Worms, \* \* \* Shingles, Baby-Rash, Moth-Marks, Etc. \* \* \* Dandruff and Scalp Disease—\* \* \* Apply \* \* \* until scalp and hair feels \* \* \* healthy. \* \* \* For harsh voice, croup, sore chest, pneumonia, flu, asthma, or whooping-cough, a small piece swallowed will afford immediate relief. If lungs are sore and congested, as in flu or pneumonia, note instructions in the ten-minute study for using the Fisher Food Remedies."

On April 5, 1938, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

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

**29008. Adulteration and misbranding of Kalms. U. S. v. 161 Packages of Kalms. Default decree of condemnation and destruction. (F. & D. No. 41679. Sample No. 1374-D.)**

The labeling of this product bore false and fraudulent curative and therapeutic claims and false and misleading statements that it was a safe medicament, whereas it was dangerous. The article also contained less aminopyrine than declared on its label.

On February 11, 1938, 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 161 packages of Kalms at Baltimore, Md.; alleging that the article had been shipped in interstate commerce on or about October 6 and November 30, 1937, from New York, N. Y., by Seabury, Inc.; and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article, which was in tablet form, consisted essentially of aminopyrine (2½ grains per tablet), antipyrine, and caffeine.