

seizure and condemnation of 6 dozen packages of Tonoline Tablets, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped on or about October 1, 1918, by the American Drug Sales Co., Boston, Mass., and transported from the State of Massachusetts into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of nux vomica alkaloids and ferrous iron.

It was alleged in the libel that the article was misbranded for the reason that it was labeled in part on the box and circular and additional circular, as follows; (box) "Tonoline Tablets \* \* \* valuable in the treatment of the various Debilitating Diseases of men and in the most extreme cases of Nervous Prostration in women. \* \* \* For \* \* \* Nervousness, Run-down, Wornout, Emaciated, Lost Ambition, and to Correct Poor Assimilation," (circular) " \* \* \* the use of Tonoline should increase the red corpuscles of the blood, and promote what is known as cellular activity \* \* \* exerts upon the nervous system a regulating tonic action. \* \* \* to Make Thin \* \* \* Men and Women Plump \* \* \* the missing link between food and flesh. \* \* \* most marvelous body builder which medical science has, so far, produced. \* \* \* nothing \* \* \* has ever been discovered which can in any way approach it. \* \* \* Tonoline does supply this one missing link in the chain of normal human health and vitality—the power to properly assimilate \* \* \* the flesh forming and tissue building elements of food. \* \* \* for a thin person, the certainty of getting fat depends almost entirely upon Tonoline," (additional circular) " \* \* \* For \* \* \* Stomach Trouble \* \* \* Men and Women \* \* \* Premature Decline," whereas the said article contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed for it, and the statements on the box label, circular, and additional circular were false and fraudulent.

On August 24, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**9068. Misbranding of Tonoline Tablets. U. S. \* \* \* v. 6 Dozen Packages \* \* \* of Tonoline Tablets. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13569. I. S. No. 7824-t. S. No. E-2639.)

On August 25, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen packages of Tonoline Tablets, consigned by the American Proprietary Syndicate, Boston, Mass., remaining in the original unbroken packages at Lancaster, Pa., alleging that the article had been shipped on or about December 23, 1919, and transported from the State of Massachusetts into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of nux vomica alkaloids and ferrous iron.

It was alleged in substance in the libel that the article was misbranded for the reason that its label and the circular accompanying it contained the

following statements, regarding the curative and therapeutic effects thereof and the ingredients and substances contained therein, (box) "Tonoline Tablets \* \* \* valuable in the treatment of the various Debilitating Diseases of men and in the most extreme cases of Nervous Prostration in women. For \* \* \* Nervousness, Rundown, Wornout, Emaciated, Lost Ambition and to Correct Poor Assimilation," (circular) "\* \* \* the use of Tonoline should increase the red corpuscles of the blood, and promote what is known as cellular activity \* \* \* exerts upon the nervous system a regulating tonic action. \* \* \* to Make Thin \* \* \* Men and Women Plump \* \* \* the missing link between food and flesh. \* \* \* most marvelous body builder which medical science has, so far, produced. \* \* \* nothing \* \* \* has ever been discovered which can in any way approach it. \* \* \* Tonoline does supply this one missing link in the chain of normal human health and vitality—the power to properly assimilate \* \* \* the flesh forming and tissue building elements of food \* \* \* for a thin person, the certainty of getting fat depends almost entirely upon Tonoline," which were false and fraudulent in that the said article would not produce the curative or therapeutic effects which purchasers were led to expect by said statements, which were applied to said article with a knowledge of their falsity for the purpose of defrauding the purchasers thereof.

On September 14, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**3069. Misbranding of Make-Man Tablets. U. S. \* \* \* v. 18 Packages of \* \* \* Make-Man Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13575. I. S. No. 10203-t. S. No. W-678.)**

On or about September 3, 1920, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 packages of a drug, labeled in part "Make-Man Tablets," consigned by the Block Drug Co., Brooklyn, N. Y., remaining in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about September 12, 1919, and transported from the State of New York into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of aloin, a laxative plant drug, ferrous carbonate, strychnine, arsenic, and a trace of phosphates.

It was alleged in substance in the libel that the article was misbranded for the reason that the label upon each package of said article and the circular accompanying it contained the following statements, regarding the curative and therapeutic effect of said tablets, (label) "Make-Man Tablets \* \* \* A Brain, Blood and Nerve Food. \* \* \* For The Treatment Of Dyspepsia, Neuralgia, Kidney and Liver Trouble, Catarrh, Consumption, Locomotor-Ataxia, Wasting Diseases, Nervous Debility, Female Disorders, And All Kindred Diseases Resulting From A Worn Out Nervous System. \* \* \* A Certain Cure \* \* \* To Build Up The System \* \* \* To Repair The Nervous System Giving Power Of Endurance And Capacity To Enjoy Every Pleasure. An Ideal Remedy For All Nervous Troubles. The Effect Is Immediate And No Doubt Of Results Exist. They Make Men and Women Strong," (circular) "Make-Man Tablets Make Blood \* \* \* indiscretions, 'over-