

Misbranding was alleged for the reason that the statement "S O P Ash Bk," borne on the label, was false and misleading, and in that the article was offered for sale under the name of another article.

On April 13, 1927, 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.

W. M. JARDINE, *Secretary of Agriculture.*

15069. Misbranding of Arium tablets. U. S. v. 3 Dozen Packages, et al., of Arium Tablets. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 21113, 21114, 21115. S. Nos. E-5726, E-5727, E-5728.)

On June 12, 1926, the United States attorney for the District of Connecticut, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 8-11/12 dozen boxes of Arium tablets, remaining in the original unbroken packages in part at Hartford, Conn., and in part at New Haven, Conn., alleging that the article had been shipped by the Associated Radium Chemists, Inc., New York, N. Y., in various consignments, on or about April 15, 18, and 29, 1926, respectively, and transported from the State of New York into the State of Connecticut, and charging misbranding in violation of the food and drugs act as amended.

Analysis by this department showed that the tablets contained lithium carbonate, starch, and talc, with a trace of radium.

It was alleged in the libel that the article was misbranded in that the following statements, regarding the curative and therapeutic effects of the said article, borne on the labels, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the results claimed: (box label) "The most beneficial effects;" (circular in box) "How Arium Works and what it does fully explained, healing, invigorating, youth-giving 'Substance of the Sun' Brings new force to sick and ailing Amazing new free book (Fully illustrated) explains how all weak, afflicted and worn-out folks may quickly produce vitalizing internal exercise of every gland and organ—banishing aches, pains and distress—restoring strength, energy and power to body and brain. New data on stomach, kidney, liver, bladder, prostate, blood and nervous disorders as well as rheumatic ailments, all of which are now prevalent to a serious extent, has been brought to light by scientists. This is fully explained in the amazing new book 'The Substance of the Sun—Giver of Supreme Vitality'. It means increased strength, power and endurance for men, renewed health, energy and beauty for women. Thousands are already obtaining most marvelous benefits. The Free Book gives special information to sufferers from nervous debility, neurasthenia, premature old age, infirmities, headaches, pressure in back of head and neck, irritability, mental depression, prickly sensations, melancholy, poor memory, rundown condition, lowered vitality, glandular weakness, prostate trouble, absence of full vigor, depleted 'Sex Force', lack of control, tired feeling, dull ache at base of spine and in small of the back, pains in the groins and legs, shaky hands and limbs, weakened will power, etc. Blood disorders, thin, pale, watery blood, anaemia, poor circulation, congestion, high blood pressure, hardening of the arteries, arterio-sclerosis, skin eruptions, loss of weight, excessive flesh, nervousness, poor appetite, etc. Rheumatic Ailments, neuritis, neuralgia, gout, lumbago, arthritis, soreness in the joints and muscles, aches, pains, etc.—A cause of heart disease. Stomach and Intestinal Troubles. Indigestion, gas, flatulence, bloating, dyspepsia, acidosis, coated tongue, offensive breath, colic, distress after eating, catarrh of the stomach, poor appetite, constipation, irregular bowel movement and chronic diarrhoea or dysentery. Kidney Complaints, torpid liver, bladder irritation and weakness, backache, headache, twinges of pain, frequent desire to urinate, getting up nights, sleeplessness, dizziness, billiousness, chilly sensation, spots before the eyes, etc. Therefore, if you are a sufferer from any of these ailments and want to quickly and most astonishingly improve your condition, you owe it to yourself to send at once for this marvelous new illustrated Free Book, 'The Substance Of The Sun—Giver Of Supreme Vitality' Delays Are Dangerous Act Now * * * Here Is A Valuable And Tested Method For Your Guidance In Checking Up On Your Condition. You may not realize just how much below normal you are. In order to give you an easy, satisfactory manner in which to decide, the list below is given here so that you may easily check up on your own condition.

The Conditions In The List Marked With An Asterisk (*) Show Of Themselves That You Should Most Certainly Use Arium Regularly And Persistently, Even If You Have None Of The Other Complaints. Do you tire easily? 5% Are you nervous? 5% Are you irritable? 10% Do you feel tired in the morning when you first get up? 3% Are your hands and feet cold frequently? 3% Do you take cold easily? 2% Do the bones ache? 2% Do you ever have chills? 3% *Do you suffer from rheumatism, neuralgia, neuritis or gout? Do your joints swell? 4% Are you drowsy? 5% Are the face, hands and tongue pale? 3% Is your circulation poor? 5% *Is your blood pressure too high or low? *Are there any eruptions on the body? Do you have frequent headaches? 5% Do you have dizziness at times? 3% Do you ever have sharp or dull pains around the heart? 2% Does your face flush easily? 5% Is your appetite poor? 4% Do you have any distress after meals? 3% Any bloating? 4% Is your breath offensive? 5% Tongue coated? 3% Do you have bad taste in the mouth? 5% Do you have pains or soreness of the chest? 2% Are the bowels irregular? 8% Are you ever troubled with constipation? 6% Is your back weak? 4% *Do you have back-ache? Do you have a desire to urinate frequently? 3% Do your hands and feet swell? 5% Is there any fullness under the eyelids? 3% *Is your neck swollen or enlarged (Goitre)? *Are your vital powers weakened? *Do you suspect trouble with the prostate gland? *Do you feel the infirmities of age? Do you have trouble with the bladder? 5% Are you troubled with sleeplessness? 10% Do you have sour, watery or windy risings from the stomach? 3% *Are you low spirited and subject to the blues? *Does your brain lack alertness at times? *Does your memory fail? *Are you too thin or underweight? *Have you excessive flesh? Grand Total. Keep the foregoing list and refer to it from time to time as you continue the use of Arium and such other radium preparations as you require. Watch from day to day how the alarming symptoms disappear and your rapid approach toward a normal state of efficiency vigorous health strength and activity;" (booklet in box) "A new scientific principle for supplying to the human body the remarkable energy and power of genuine radium in a pure, harmless and wholesome form. * * * Arium * * * has a stimulating and tonic effect that is entirely different from that of any drug or medicine known. It gives just the added force and power needed by the human body and is accepted by the blood, tissues and entire system just as withering plants accept sunshine and rain and are revived by them. The uses of Radium as supplied in Arium are many and varied * * * It should be especially valuable among all classes of people for use in cases of general debility, simple anaemia, signs of old age, weakened nerve force, poor circulation, digestive disturbances, hardening of the arteries, sleeplessness, rheumatism and inflammation of the joints, etc. Arium for everyone. Arium is not designed for sick people alone. In fact it is equally recommended for those who have no ailments, but who desire that super-vigor which means so much in the fullest enjoyment of life. * * * For chronic cases * * * While surprising results are often obtained from a short course of Arium, its action is not that of temporary stimulant, but of a nutritive, health-building, energy-giving agent of unusual value. To derive the most beneficial results and get the full accumulative value of the radium, Arium should be taken regularly and systematically. * * * When your nerves are soothed, your muscles and organs function normally, pains are gone and your whole organism seems to be operating smoothly, you will know that Arium has done its work. So pleasant will be the feeling of stimulation from radium that you will never want to let the beneficial effects of radioactivity get out of your body. * * * Marvelous form of natural energy. * * * What it may do for you * * * Arium feeds the body with energy like giving a fresh charge of current to a run-down storage battery. Arium revitalizes organic matter as nothing else can. Arium stimulates the circulation of the blood, as well as the tissues, mental faculties, etc. Arium makes the entire system feel the influence of the greatest force known to mankind in the most pleasing manner. Arium gives a direct positive action almost immediately to every part of the body. Arium gives new strength, fresh ambition, sparkling vitality, invigorates the constitution and instills a feeling of renewed youth. Arium improves blood and glands. Arium will increase the red blood cells enormously in many cases, thus enriching the blood and correcting the circulation. Arium helps bring down blood pressure and adds vigor and force to the entire blood system, making it more potent to fight off disease, anemia, etc. Arium helps restore arteries to a pliable condition. Arium helps invigorate the ductless glands and regulate their secretions, thereby setting up healthy glandular functioning which is the real answer to the perfect charm of

womanhood and the virile strength of manhood. For general debility Arium will impart the right kind of energy to the organs and make you feel energetic, virile and vigorous. In this way it will help overcome general debility and enable you to live a normal healthy life. Even elderly people will feel the thrilling vibrations of positive youthful virility. Arium will help overcome sluggishness by carrying off waste and poisonous matter and in this way will purify, invigorate and tone up the system. Arium for rheumatic troubles, poor appetite, nervousness. Arium helps scatter inflammation and eliminate uric acid and poisonous carbon dioxide from our bodies thus relieving us of the different ailments most of us have, neuralgia, neuritis, etc. Arium stimulates the glands in the digestive tract and sharpens our appetites as well as helping our digestive organs to do their work. Arium acts on the tissues of our nerves to strengthen and sooth them, thus bringing peace and restfulness to those who are nervous. Arium does what drugs cannot do because it acts in a natural physical manner entirely. Arium by keeping the body radio-active, helps keep us immune from a great many of the diseases and epidemics that are constantly occurring. * * *

How Radium was discovered to be good for us. * * * tremendously vital force of the ages. At first it was not known that Radium could be used for curative purposes. For years, however, physicians were unable to account for the marvelous results obtained from certain spring waters, while others of exactly the same chemical analysis gave very little beneficial results. The mystery was not solved until it was found that the health-giving springs contained radium in very small amounts. The medical world then knew that radium had tremendous influence on the human body, that by drinking radio-active spring waters one could take into his body a definite amount of radium energy which permeated the whole system and accomplished wondrous results. Yet each Arium tablet contains from 100 to 1,000 times as much radium as a quart of many radio-active spring waters. It was noticed too that people who work in radium mines enjoyed remarkable health and robust strength. Apparently, simply breathing the emanations from radium kept them free from neuritis, rheumatism, neuralgia, hardening of the arteries, headaches, digestive disorders and a hundred other maladies. It kept them filled with the feeling of youth * * *. Discovery of Arium Perhaps not since the discovery of the element of radium itself has Science achieved a greater triumph than in the discovery of a means for placing in the human body the greatest form of harmless, yet powerful energy ever known to the world. It seems that it was by the hand of Fate, working for the benefit of humanity, that Arium was discovered in Paris where Radium itself was discovered. * * *

Under the trade-mark name of Arium the marvelous, health-giving energy of radium is prepared in tablet form. * * * Arium may be used with beneficial results by men, women and children. Just Why the Body Needs Radium Physicians know that many of the foods we eat tax our digestive organs to such an extent that little energy remains in our bodies for any other work. In other words, the power or energy—the force that moves us—that is supplied by our morning meal is largely used up to digest and assimilate the noon meal and there is little reserve force for the many needs of the body. We must have surplus energy—extra power—and that is exactly what radium feeds to the system—that surplus power or energy which governs our intelligence, our dispositions, and in fact, determines whether we are to be winners in the game of life or losers. Supplies Energy Lacking in Foods. Science has shown that many human ills may be directly traced to the fact that most people fail to eat the proper kind of food. Yet every act that we do during our lifetime—even the winking of an eyelash—saps some portion of our energy, tears down tissues and lessens our resistance to disease. Thus, because our food is robbed of its up-building, vital forces, there is nothing to replace old wornout tissues and keep the body filled with the abundance of strength and energy Nature intended. As a result there is a noticeable loss of vitality of one kind or another and that is why so many people you meet always have something the matter with them. It is to prevent this very thing that radium is recognized as the most potent force ever known. Radium is a natural stimulator and up-building agent for all the tissues and organs of the body. How Arium Gives You The Life Building Energy of Radium. When you take Arium tablets they liberate millions of rays of energy while in the body and these rays give the tissues an agreeable stimulus tending to produce a harmless, gentle internal massage that induces normal functioning of the organs, muscles, etc. Arium acts as the carrier of enormous energy in the body as nothing else possibly can. Radium,

which is in each Arium tablet, has been called the very essence of life. Some physicians have described it as life itself, and one distinguished physician speaks of it as the greatest benefit to mankind that has ever emanated from the laboratory of the Almighty. Many physicians believe radium to be a tremendous factor in materially lengthening life. When you take Arium you should become conscious of a feeling of extreme well-being with a sense of healthful exhilaration and buoyancy. You will become aware of some strange mystic form of energy that opens up for you a new world of health, pleasure and happiness. Marvelous Action of Arium. The action of Arium is direct—not indirect. It produces a kind of energy within the body that is absolutely necessary to the human system for the building of that surplus strength and endurance which is so necessary to ward off sickness and prolong life and youth. Tonics for the blood alone may give benefit for a time—so may a drug or quieting potion for the nerves or the proper treatment for the liver or kidneys, but the force of radium as supplied in Arium reaches the nerves, tissues, blood, muscles, bone, sinew, skin, stomach, liver, kidneys and every vital organ of the entire body all at the same time. Not only this, but added power is given to each separate tiny cell and bodily force that binds the organs together to help make them function properly. From time immemorial physicians have administered drugs and medicines for all illness but we are now approaching what might be termed a 'Drugless Age,' for radium has opened up to the world an opportunity to obtain a direct application of energy to the body to perform its mysterious wonders in a way that is not possible with ordinary stimulants or drugs;" (display card in cartons containing portion of product) "Amazing New Discovery For Run-Down People Builds Strong Nerves Rich Red Blood and Youthful Health Success Guaranteed or Money Back."

On July 28, 1926, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

15070. Adulteration and misbranding of codeine sulphate tablets, fluid extract belladonna leaves, tincture cinchona, tincture of cinchona compound, atropine sulphate tablets, nitroglycerin tablets, strychnine sulphate tablets, heroine hydrochloride tablets, and diacetyl morphine hydrochloride tablets. U. S. v. Smith, Kline & French Co. Plea of guilty. Fine, \$300. (F. & D. No. 21560. I. S. Nos. 6064-x, 6069-x, 6070-x, 6126-x, 6127-x, 6128-x, 6131-x, 6134-x, 6135-x, 6139-x, 6251-x, 6253-x, 6911-x.)

On May 23, 1927, 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 an information against the Smith, Kline & French Co., a corporation, Philadelphia, Pa., alleging shipment by said company, in violation of the food and drugs act, in various consignments, from the State of Pennsylvania into the States of New York and New Jersey, between the approximate dates of July 6, 1925, and December 10, 1925, of quantities of codeine sulphate tablets, fluid extract belladonna leaves, tincture cinchona, tincture of cinchona compound, atropine sulphate tablets, nitroglycerin tablets, strychnine sulphate tablets, heroine hydrochloride tablets, and diacetyl morphine hydrochloride tablets, which were adulterated and misbranded. The articles were labeled, in part: "Smith, Kline & French Co. Philadelphia," and were further labeled, in part, as hereinafter set forth.

Adulteration of the codeine sulphate tablets, atropine sulphate tablets, nitroglycerin tablets, strychnine sulphate tablets, heroine hydrochloride tablets, and diacetyl morphine hydrochloride tablets was alleged in the information for the reason that their strength and purity fell below the professed standard and quality under which they were sold, in that the labels represented the said tablets to contain 1/2 grain of codeine sulphate, 1/100 grain of atropine sulphate, 1/60 grain of atropine sulphate, 1/100 grain of nitroglycerin, 1/60 grain of strychnine sulphate, 1/30 grain of strychnine sulphate, 1/50 grain of nitroglycerin, 1/12 grain of heroine hydrochloride, or 1/12 grain of diacetyl morphine hydrochloride, as the case might be, whereas each of said tablets contained less of the product than represented on the label thereof.

Misbranding of the said tablets was alleged for the reason that the statements, to wit, "Tablet Triturates * * * Codeine Sulphate * * * 1/2 Grain," "Tablet Triturates * * * Atropine Sulphate 1-100 Grain," "Tablet Triturates * * * Atropine Sulphate 1-60 Grain," "Soluble Hypodermic Tablets * * * Atropine Sulphate 1-100 Gr.," "Tablets * * * Nitro-