

27, 1928, and transported from the State of California into the State of Oregon, 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 contained 0.35 gram of chlorine per ampul.

It was alleged in the libel that the article was misbranded in that the statements on the carton, "Is positively not poisonous in any way to the human system" and "Absolutely harmless," were false and misleading. Misbranding was alleged for the further reason that the statements on the carton, "Use for Influenza, Bronchitis, etc." and "For Best Results Use One Bomb Upon Retiring And The Other The Following Morning," were false and fraudulent.

On April 11, 1929, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16259. Misbranding of Grains of Health. U. S. v. 45 Cans of Grains of Health. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21467. I. S. No. 5099-x. S. No. E-5912.)

On December 17, 1926, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 45 cans of Grains of Health, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Grains of Health Products Co., from Wheeling, W. Va., on or about November 27, 1926, and transported from the State of West Virginia into the State of Maryland, 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 roasted coffee, chicory, and a starchy material, probably of a cereal or leguminous origin. It contained 0.45 per cent caffeine.

It was alleged in the libel that the article was misbranded in that the following statements regarding the said article were false and misleading: (Package) "Similar to coffee in taste and flavor;" (circulars) "Even the choicest brands and blends of coffee contain Caffeine and Tannin in quantities which are generally acknowledged as being harmful ingredients, producing nervousness, headaches, insomnia, etc. The great majority of Physicians, Dentists, and Nerve Specialists now advise against the use of coffee on account of its harmful effects * * *. As a result, this 'Healthified Coffee' satisfies those loving the taste and flavor of coffee as well as those who cannot drink coffee without suffering ill effects * * *. Persons who cannot or dare not drink coffee on account of the harmful effects * * *. Persons who cannot drink coffee and do not like the taste of cereal coffees or imitations * * *. Better than coffee because it completely satisfies the coffee desire, is highly nutritious, and does not produce harmful effects." Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent, since the said article contained no ingredient or combination thereof capable of producing the effects claimed: "Health * * *. Grains of Health * * *, Healthified Coffee. It can be served without hesitation to the sick, young, or old, to those troubled with indigestion, constipation, improper assimilation, and headaches, with the same beneficial results * * *. Persons troubled with rifting, heaviness, bloating after eating. Grains of Health tends to keep the gas from the stomach. Persons who are unable to eat certain kinds of food or food which they like on account of indigestion or other disagreeable results. Such foods can be eaten freely when using Grains of Health. Persons troubled with constipation or piles or those who have to resort to laxatives continually * * *. Persons continually troubled with severe headaches. Persons sick with fever and in many cases where water, milk, or cocoa cannot be given, Grains of Health will always agree with them. Persons who cannot distinguish tastes, all foods seeming to be alike to them. Persons troubled with kidney disorders or too frequent urinations. Persons having weak or lost appetite. Grains of Health creates a desire for the proper foods needed by the system. Persons who do not derive the proper strength from their foods. Grains of Health aids proper assimilation. Persons who do not or cannot eat in the morning on account of nausea or unsettled stomach * * * positive benefit * * *. I am very glad to recommend Grains of Health to all coffee drinkers who value good health. * * * has a beneficial effect upon chronic and obstinate constipation—a very troublesome

complication of many chronic conditions * * * a really valuable therapeutic adjuvant * * *. There can be no question that coffee taken habitually will cause many evidences of disease, particularly of the nervous system, and to substitute your excellent beverage for this drug is a great step forward towards a better and healthier race * * *. Recommended to coffee lovers everywhere, and especially to persons troubled with headaches, indigestion, gastritis, constipation, nausea, and weak or lost appetite."

On March 18, 1927, the Grains of Health Products Co., Wheeling, W. Va., entered an appearance as claimant for the property and filed a demurrer and answer to the libel. On March 22, 1929, the case having been set for trial on that date and the United States attorney having been advised by all interested parties that there would be no contest, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16260. Misbranding of Cre Sot Rub. U. S. v. 2 Dozen Packages of Cre Sot Rub. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23471. I. S. No. 04301. S. No. 1669.)

On February 26, 1929, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2 dozen packages of Cre Sot Rub at Richmond, Va., alleging that the article had been shipped by the Drain Chemical Co., Baltimore, Md., on or about October 2, 1928, and transported from the State of Maryland into the State of Virginia, 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 the ointment contained creosote, eucalyptol, turpentine, oil, and camphor.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the article, (jar top) "Inflammations," (jar label) "Pneumonia * * * rub Cre-Sot in thoroughly, spread plenty * * * then wrap chest in absorbent cotton or flannel allowing vapor to get to nose and mouth to be inhaled. Repeat every 4 hours until breathing is not so rapid and patient feels better. * * * Coughs, Tonsillitis, and Sore Throat * * * Spasmodic Croup * * * Whooping Cough, Bronchitis, Asthma, Catarrh, Rub Cre Sot on neck and inhale vapor same as in croup * * * Rheumatism rub into parts affected," (carton) "Pneumonia, Croup, Coughs, Bronchitis, Swellings, Neuralgia * * * Eczema, Enlarged Glands, Rheumatism, Catarrh, Tonsillitis, Sore Throat, Whooping Cough, Itching Piles, Asthma, Boils, Inflammations * * * Internally inhaled, the vapors * * * relieves labored and tight breathing," (circular) "First Aid Treatment In Many Conditions of Congestion And Inflammation * * * Tubercular Glands And Glandular Swellings, Cre-Sot Has A Wonderful Effect. Take a piece the size of a pea and rub over the glands gently, but thoroughly, for two to five minutes and repeat that night and morning. Pulmonary Tuberculosis or Tuberculosis of Lung and Night Sweats * * *. You can be helped by the use of Cre-Sot as follows: Dissolve teaspoonful of Salve to half pint hot water. Add enough sugar to make one pint. When cool strain and put in bottle. Shake well and take teaspoonful every two hours. Rub Salve on chest night and morning. Pneumonia * * * rub Cre-Sot Salve in the skin thoroughly * * * allowing the vapor to get to the nose and mouth to be inhaled. This should be repeated every four hours until breathing is not so rapid and patient feels better * * *. Asthma, Rub plenty of Cre-Sot on chest and neck * * *. Take some internally by letting a small piece, size of a pea, dissolve on tongue. Bronchitis. Apply Salve to chest and neck. Rub in well. Put teaspoonful Salve to half pint hot water. Add enough sugar to make one pint. When cool strain and take teaspoonful every two hours. Catarrh * * * Children's * * * Cough * * * Cre-Sot * * * should be kept on hand so you may have a splendid guardian of the children * * * rub it in * * * over chest and back, also neck, back, and front; rub a little on forehead and up nostrils * * *. Sore Throat, Tonsillitis, and Loss of Voice or Hoarseness * * *. Take same internally same as in Bronchitis * * * Whooping Cough * * * Rub Cre-Sot in the skin over chest and neck night and morning. Put small piece * * * on tongue three times a day and give liquid same as Bronchitis * * *. For the use of Cre-Sot in the treatment of inflammation and congestion of the tissues, skin, and muscles * * * Earache