

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard and quality under which it was sold, namely, cod-liver oil compound tablets.

Misbranding was alleged for the reason that the statement "Cod Liver Oil Compound Tablets," together with the design showing picture of a fish, borne on the wholesale and retail cartons, were false and misleading. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent: (Retail carton) "Loss of Flesh, Malnutrition, Convalescence after * * * Grippe, or Pneumonia," (wholesale carton) "Loss of Flesh, Malnutrition, Convalescence After Colds, Grippe or Pneumonia."

On June 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.*

16412. Adulteration and misbranding of laxative Anti-Gripine. U. S. v. 100 Boxes of Laxative Anti-Gripine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23524. I. S. No. 012882. S. No. 1692.)

On or about March 16, 1929, the United States attorney for the Southern District of Indiana, 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 100 boxes of laxative Anti-Gripine, remaining in the original unbroken packages at Evansville, Ind., alleging that the article had been shipped by the Anti-Gripine Co., from Springfield, Mo., on or about January 7, 1929, and transported from the State of Missouri into the State of Indiana, 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 consisted essentially of acetanilide (215.8 grains per ounce), sodium salts, carbonates, capsicum, podophyllin, aconite alkaloids, and extracts of plant drugs including a laxative drug.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold, namely, "Each Oz. contains 240 grs. of Acetanilid."

Misbranding was alleged for the reason that the statement on the carton, "Each Oz. Contains 240 grs. of Acetanilid," was false and misleading, and for the further reason that the package failed to bear a statement on the label of the quantity of acetanilide contained therein, since the declaration was incorrect. Misbranding was alleged for the further reason that the following statements and design regarding the curative and therapeutic effects of the article, appearing on the labels and in the circulars, (carton) "None Genuine Without this Grip and the name Anti-Gripine on Package. (Picture of a grip) For the grip * * * coughs * * * Anti-Gripine * * * for * * * La Grip, Influenza, Coughs, * * * For La Grippe, * * * Neuralgia * * * Tonic * * * None genuine without a pictorial Grip and the name Anti-Gripine on box," (circular of testimonials) "Anti-Gripine for La Grip, Flu * * * Neuralgia, Neuritis * * * Anti-Gripine * * * is the best * * * LaGrippe * * * Tablets * * * laxative Anti-Gripine * * * It saved my boy from Pneumonia * * * Take Laxative Anti-Gripine for * * * LaGrippe, Flu * * * Anti-Gripine. I consider it the best * * * La Grippe remedy * * * Remedy for * * * La Grippe * * * Anti-Gripine * * * the best remedy for La Grippe, Flu * * * Anti-Gripine is the best * * * remedy * * * a host of the plagues of mankind would disappear if * * * La Grippe * * * were banished. Laxative Anti-Gripine has no superior as a remedy in the early stages of these ailments. * * * Laxative Anti-Gripine * * * for Coughs * * * Neuralgia, etc. * * * The Flu is raging here and the people are calling for Anti-Gripine," (another circular) "The Common Cold Often Mistaken for LaGrippe, Influenza, Etc. * * * everything which lowers the body vitality, such as chilling of the surface of the body, undue exposure, insufficient ventilation, public gatherings, etc., for the absorption of poison from the intestinal tract, permits the invasion of the respiratory mucous membrane by those organisms which normally live upon them. The inflamed red nose and congested eyes are signals, and we realize that we are taking the 'Common Cold,' the LaGrippe or Influenza."

enza. * * * When a cold is left for nature to cure it too frequently develops into the dreaded Pneumonia that takes such heavy toll of human life. The only safe way is to stop a cold at once, which is easily done if you take precaution and use the proper remedy. Laxative Anti-Gripine's purpose is to banish * * * LaGrippe, Headache, Neuralgia, Pains, etc., as quickly as possible. * * * Anti-Gripine * * * Laxative Anti-Gripine is the best remedy I have ever used for the 'Flu.' * * * I have sold * * * Anti-Gripine," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that it was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On June 22, 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.*

16413. Misbranding of McK & R cold and grippe tablets. U. S. v. 59 Dozen Packages of McK & R Cold and Grippe Tablets. Decree of condemnation and forfeiture. Product released upon deposit of collateral. (F. & D. No. 23373. I. S. No. 05809. S. No. 1539.)

On February 6, 1929, the United States attorney for the District of Massachusetts, 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 59 dozen packages of McK & R cold and grippe tablets, remaining in the original unbroken packages at Boston, Mass., consigned about January 21, 1929, alleging that the article had been shipped by McKesson & Robbins (Inc.), Bridgeport, Conn., and transported from the State of Connecticut into the State of Massachusetts, 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 tablets contained acetanilide, cinchonidine, hydrobromide, camphor, aloin, and an extract of a laxative plant drug.

It was alleged in the libel that the article was misbranded in that the following statements, appearing in the circular, were false and misleading: "McK. & R. Cold and Grippe Tablets contain * * * safe agents. * * * They act * * * safely * * * do not depress or injure the system." Misbranding was alleged for the further reason that the following statements appearing on the labels and in the circular, regarding the curative and therapeutic effects of the said article (tin container, circular, and display carton) "Grippe Tablets," (tin container) "One of the McK. & R. Health Helps * * * One Tablet every two hours during the day or until relieved," (circular) "What is called the Grippe, is a 'riot' produced among striking body functions by the efforts of trouble-making germs that have gained entrance to the blood. Constipated bowels, a sluggish liver and disordered stomach allow food waste to remain unduly long in the body and generate poisonous matter, which is absorbed into the blood and renders the latter irritating. Such poisonous blood irritates the brain muscles and nerves and makes them ache; the skin and kidneys overwork in the effort to get rid of the waste matter. Hence, the easiest and best way to break up and get rid of * * * the Grippe is to take some simple, harmless but effective combination of remedies that will open the bowels, start the kidneys and skin to working actively, relieve the pain and aching, purify the blood and so overcome the strike and quell the riot. McK. & R. Cold and Grippe Tablets accomplish such purposes quickly, safely and effectually. McK. & R. Cold and Grippe Tablets contain standard and safe agents that are used and approved by physicians in the treatment of colds and the Grippe. It is unwise and sometimes dangerous to take certain powerful drugs that depress the heart and derange the circulation, although such may to a greater or lesser degree deaden or disguise the aching and pain. McK. & R. Cold and Grippe Tablets do not depress or injure the system. They act surely and safely to overcome the causes that are at the bottom of the trouble and the effect that follows the taking of the first dose or two is continued provided they are taken according to directions until * * * Grippe cured. Often you may suffer from headache, which is an early sign that your bowels are getting out of order and