

condemnation of 20¼ dozen bottles of Ferrasal at Little Rock, Ark., alleging that the article had been shipped by the Crown Remedy Co., from Dallas, Tex., in part on or about April 5, 1929, and in part on or about May 16, 1929, and transported from the State of Texas into the State of Arkansas, 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 was a mixture of sodium bicarbonate (48 per cent), magnesium carbonate (25 per cent), small amounts of calcium and iron carbonates, salicylic acid (0.34 per cent), a tartrate, and starch, flavored with oil of peppermint.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the therapeutic or medicinal effects claimed: (Bottle label on portion) "Ferrasal \* \* \* is indicated in the numerous health troubles caused by an excess of acids in the system. Acute Indigestion \* \* \* Dysentery and Constipation are often caused by Hyper-Acidity. Ferrasal will give relief in such cases. It will also be found helpful in Kidney and Bladder trouble \* \* \* The Sign of Good Health \* \* \* Stops Indigestion Now. \* \* \* For Acute Indigestion take \* \* \* Repeat hourly until relieved. For Chronic Indigestion \* \* \* Also take \* \* \* after any meal that fails to assimilate properly. \* \* \* In cases of Dysentery and Ptomaine Poisoning call your physician and take \* \* \* immediately. \* \* \* For Chronic Acidosis take \* \* \* until condition becomes normal. In Severe Cases \* \* \*;" (bottle label on remainder) "For Acute Indigestion, Headaches \* \* \* Dysentery and Bowel Complaints in adults or children. Ferrasal gives quick relief. \* \* \* For Chronic Indigestion, Constipation, Kidney and Bladder Trouble. \* \* \* Dizziness, Bumpy Face and Dull Headache resulting from acid poisons. Ferrasal will give relief if taken according to directions. Ferrasal \* \* \* strikes at the source of the numerous health troubles caused by an over-accumulation of acid poisons in the system and blood. \* \* \* The Sign of Good Health. \* \* \* Stops Indigestion Now. For Stomach, Liver and Kidneys. \* \* \* For Acute Indigestion take \* \* \* Repeat hourly until relieved: \* \* \* For severe or Chronic Indigestion \* \* \* Also take \* \* \* after any meal that fails to assimilate properly. \* \* \* In cases of Dysentery, Bowel Complaint and Ptomaine Poisoning call your Physician and take \* \* \* immediately. \* \* \* Then take \* \* \* until the condition is corrected. For Chronic Acid Conditions—Colon Trouble, Blood Disorders, Rheumatism, Kidney and Bladder Troubles, etc. \* \* \* Take regularly until your condition has become normal. In severe cases \* \* \* Ferrasal is absolutely harmless. \* \* \* If baby \* \* \* spits up food \* \* \* Ferrasal."

On July 7, 1930, no answer or other pleading having been filed, judgments of condemnation were entered, and it was ordered by the court that the product might be released to the Crown Remedy Co., Dallas, Tex., for relabeling as might be required by this department, upon the execution of bonds totaling \$400, otherwise that it be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17383. Misbranding of Witmer's Coughine. U. S. v. 13 Dozen Bottles of Witmer's Coughine. Product ordered released under bond to be relabeled. (F. & D. No. 23484. I. S. No. 05036. S. No. 1656.)**

On March 6, 1929, the United States attorney for the Western District of Missouri, 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 13 dozen bottles of Witmer's Coughine, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the National Drug Co., from Cardin, Okla., on or about January 18, 1929, and transported from the State of Oklahoma into the State of Missouri, 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 small amounts of ammonium chloride, creosote, guaiacol, camphor, chloroform, a trace of alkaloids, sugar, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the bottle and carton labels and in the accompanying circular, regarding the curative and therapeutic effects of the article, were false and fraudulent, since it contained no ingredient or combination of

ingredients capable of producing the effects claimed: (Bottle label) "For \* \* \* Coughs, \* \* \* Pneumonia, Bronchitis, Asthma, Consumption and Croup. \* \* \* For adults, teaspoonful as needed; \* \* \* Coughine;" (carton label) "For the relief of \* \* \* Coughs, \* \* \* Pneumonia, Bronchitis, Asthma, Consumption, and Croup. \* \* \* For adults, teaspoonful as needed. \* \* \* Coughine;" (circular) "For relief of \* \* \* Coughs \* \* \* Pneumonia, Bronchitis, Asthma, Consumption and Croup \* \* \* Coughine."

On April 8, 1929, the National Drug Co., of Joplin, Mo., having appeared as claimant for the property and having executed a bond to insure relabeling of the product to conform with the requirements of this department, a decree was entered ordering that the product be released to the said claimant for the purpose of relabeling upon payment of costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17384. Adulteration and misbranding of gum myrrh. U. S. v. 2 Bags, et al., of Gum Myrrh. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24209. I. S. No. 03071. S. No. 1863.)**

On November 8, 1929, the United States attorney for the Eastern District of New York, 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 bags and 2 partly filled bags of crushed gum myrrh, and 1 barrel and 1 partly filled barrel of powdered gum myrrh, remaining in the original packages at Brooklyn, N. Y., alleging that the article had been shipped by Devkapan-Adenwalla, Aden, Arabia, December 4, 1928, into the port of Boston, Mass., and forwarded from Boston into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

Analysis of a sample of the article by this department showed that it contained an excessive amount of acid-insoluble ash and woody or bark-like material and was deficient in alcohol-soluble material.

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopeia and differed in strength, quality, and purity from the pharmacopeia specifications, in that it was deficient in alcohol-soluble material and contained an excessive amount of acid-insoluble ash and woody and bark-like material.

Misbranding was alleged for the reason that the article was offered for sale under the name of another article.

On December 13, 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.*

**17385. Adulteration and misbranding of ether. U. S. v. 1 Case of Ether. Default decree of condemnation and destruction. (F. & D. No. 24372. I. S. No. 026901. S. No. 2629.)**

On December 18, 1929, the United States attorney for the Eastern District of Texas, 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 1 case of ether, remaining in the original unbroken package at Palestine, Tex., alleging that the article had been shipped by the Ohio Chemical Manufacturing Co., from Cleveland, Ohio, on or about October 12, 1929, and transported from the State of Ohio into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act.

Analysis of a sample of the article by this department showed that the ether contained peroxide.

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of purity as determined by tests laid down in said pharmacopoeia, in that it contained peroxide. Adulteration was alleged for the further reason that the article was sold under the following standard of purity, (can label) "The exceptional purity of this ether \* \* \* the exclusion of air by carbon dioxide prevents the oxidation of ether to \* \* \* peroxides by atmospheric oxygen," whereas it fell below such professed standard of purity, in that it contained peroxide.

Misbranding was alleged for the reason that the above-quoted statements appearing on the can label, were false and misleading when applied to an article containing peroxide.