

On January 27, 1930, no claimant having appeared for the property, judgment of condemnation 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.*

17386. Misbranding of Acotin. U. S. v. 29 Dozen Boxes, More or Less, of Acotin. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24529. I. S. No. 010758. S. No. 2822.)

On February 17, 1930, the United States attorney for the Northern District of California, 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 29 dozen boxes, more or less, of Acotin, remaining in the original unbroken packages at Oakland, Calif., alleging that the article had been shipped by the J. R. Watkins Co., from Newark, N. J., in part on or about November 26, 1929, and in part on or about December 24, 1929, and transported from the State of New Jersey 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 this department showed that the tablets contained acetphenetidin, acetylsalicylic acid, and starch.

It was alleged in the libel that the article was misbranded in that the declaration of acetphenetidin appearing on the label was not in a conspicuous place and the label bore no statement that acetphenetidin is a derivative of acetanilide nor was the amount of acetphenetidin in each tablet stated. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, appearing on the box label and in the accompanying circular, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Tin box) "Helpful for * * * Rheumatism * * * Neuralgia * * * La Grippe, Influenza, Lumbago, Stiff Neck, Earache;" (circular) "Indicated for * * * Neuralgia * * * Influenza * * * Earache, Rheumatism, Stiff Neck * * * La Grippe, Lumbago."

On May 16, 1930, the J. R. Watkins Co., Winona, Minn., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a good and sufficient bond, conditioned in part that it be relabeled under the supervision of this department to conform to the provisions of the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17387. Misbranding of Emerson's Honduras sarsaparilla. U. S. v. 72 Bottles of Emerson's Honduras Sarsaparilla. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24636. I. S. No. 022624. S. No. 2979.)

On March 25, 1930, the United States attorney for the Western District of Washington, 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 72 bottles of Emerson's Honduras sarsaparilla, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Emerson Medicine Co., Kansas City, Mo., on or about March 3, 1930, and transported from the State of Missouri into the State of Washington, 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 extracts of plant drugs, including a laxative drug, traces of salicylic acid, alkaloids, glucosides, and potassium iodide, alcohol and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article, appearing on the carton and bottle labels, and in the accompanying circulars and card, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "Rheumatism. An excellent treatment for Lumbago, Inflammatory, Muscular and Sciatica Rheumatism. * * * Our Sarsaparilla. A Splendid Tonic for the system. * * * valuable in restoring and invigorating the whole system. Aids in the relief of run down conditions from Gastric Disturbances. Many nervous conditions. Muscular Rheumatism. * * * General Debility. A

Stimulant to the Skin. * * * Also of Dandelion, which acts directly on the Liver stimulating action;" (bottle label) "A Laxative to the Liver. A Stimulant to the Skin. An Aid to * * * Malaria * * * Nervous Headache, Indigestion and Dyspepsia, Rheumatism. An excellent treatment for Lumbago, Inflammatory, Muscular and Sciatica Rheumatism. * * * An Excellent Tonic for the System;" (white circular, p. 2) "Testimonials From Persons Who Have Used Emerson's Sarsaparilla For Rheumatism. * * * I wish to add my testimonial to your list * * * I suffered with catarrh for 30 years, * * * I took eight bottles of your Sarsaparilla and it has cured me entirely of catarrh, * * * Your Sarsaparilla not only cured me entirely of catarrh, but it cured me of rheumatism that I had suffered with for eight years. * * * I do not believe that there is a medicine that is equal to your Sarsaparilla for kidney and liver troubles. * * * I have had insomnia for many years, hemorrhoids for the last twenty-five years. * * * I commenced taking Emerson's Sarsaparilla and began to feel better before I had taken a whole bottle. I first began to sleep better, then the stiffness in my left leg and the pain between my shoulders quit, my headaches almost wholly stopped, * * * the rheumatism has gone, the hemorrhoids have nearly all disappeared, and I hardly ever feel any more trouble from constipation. I can say that there is no rheumatism and I feel like a new man, * * * (p. 3) For many months I have been a sufferer with rheumatism and lumbago, was even unable to turn over on my bed with someone to help me. * * * Now, several months after I was cured * * * Testimonials from Persons Who Have Used Emerson's Sarsaparilla for Kidney and Liver Complaint * * * I wish to state I have been taking Emerson's Sarsaparilla for kidney and bladder trouble and it has done wonders for me. * * * I was much troubled with liver trouble but since I have taken Emerson's Sarsaparilla am greatly helped and believe it will completely cure me. (p. 4) Testimonials from Persons Who Have Used Emerson's Sarsaparilla for Indigestion and Dyspepsia. * * * Have been a sufferer from a case of chronic indigestion of long standing. Have used three bottles of Emerson's Honduras Sarsaparilla and am completely cured. * * * Testimonials from People Who Have Used Emerson's Sarsaparilla For * * * Stomach Troubles. * * * I had stomach and Heart trouble for years, the doctors told me I had ulcers of the stomach. I am cured by using Emerson's Sarsaparilla. * * * I have used your wonderful medicine, The Emerson Sarsaparilla, with marked success as a general system tonic and blood purifier * * * Testimonials from Persons Who Have Used Emerson's Sarsaparilla for Malaria-Chills and Fever-Ague, General Debility, Loss of Appetite, Loss of Energy—That Tired Languid Feeling—Flu and General Breakdown. (p. 5) I have had Flu and general breakdown and since I have been taking Emerson's Sarsaparilla I am greatly benefited. * * * Testimonials from Persons Who Have Used Emerson's Sarsaparilla for Various Ailments and as a General Tonic for the System. * * * I was all run down from malaria and chills and fever, the first bottle of your medicine did me so much good * * * It has been over a year since using my last bottle and wish to obtain more as a tonic during the heated term. * * * (p. 6) Testimonials From Persons Who Have Used Emerson's Sarsaparilla for Nervous Troubles, Nervous Headaches and Nervous Prostration * * * Testimonials From Persons Who Have Used Emerson's Sarsaparilla for Asthma * * * Testimonials from Persons Who Have Used Emerson's Sarsaparilla For Goitre and Eczema * * * (p. 7) I used Emerson's Sarsaparilla when I was so run down could not walk alone. Now I am strong and feeling just fine due to the medicine mentioned above. I was suffering with goitre. * * * I was troubled with eczema for years so bad at times that I had to have my hair shingled off. Can say that Emerson's Sarsaparilla has entirely cured me. * * * Testimonials from Persons Who Have Used Emerson's Sarsaparilla for Salt Rheum * * * Testimonials from Persons Who Have Used Emerson's Sarsaparilla for Female Complaints * * * I have used your Emerson Honduras Sarsaparilla for * * * Female Troubles * * * Have used three bottles and am for the first time in years restored to perfect health. * * * I wish to write * * * I doctored several weeks * * * for gall bladder troubles * * * Now I am feeling well, * * * (p. 8) How to Get Health and How to Keep It * * * The Lesson is this:—'Keep your system pure and clean and you will have health and strength to gain and enjoy happiness, success and length of years.' * * * How Can I Keep My System Pure? * * * How Does the Liver Purify? * * * Functions of Gall Blad-

der * * * Nature's Danger Signals * * * How to make the Bile Flow
 * * * Emerson's Sarsaparilla * * * It increases the flow of the bile
 from the gall-bladder * * * and also serves as an intestinal antiseptic.
 * * * Emerson's Sarsaparilla, one of the most important of all family
 medicines, for it is needed in many cases of sickness, and, if used promptly, may
 prevent many cases of serious illness;" (yellow circular) "Emerson's Honduras
 Sarsaparilla Compound * * * the home treatment of Muscular and Sciatic
 Rheumatism, Indigestion, Dyspepsia, * * * Malaria, Dengue and Swamp
 Fever, and as a general tonic. * * * A Stimulant to the Skin, a Treatment
 for Torpid Liver * * * for Stomach and Bowel Troubles. As a Tonic and
 System Purifier, * * * The Stomach—The Stomach is liable to affections
 which produce weakness, pain and distress. This may exist in an acute form,
 and depends upon some condition, either local or general, which incites a
 congested condition of the circulation in the walls of the stomach. Bilious-
 ness—A bilious condition is indicated by loss of appetite, pain in the side, back
 * * * Constipation * * * manifest themselves in Boils, Blotches,
 Pimples and Sores. Inflammation of the Bowels and Liver may also result, and
 the absorption of bile and uric acid by the blood may become the source of
 rheumatic and neuralgic affections. * * * Dr. Ray in his private practice,
 used this prescription * * * in the treatment of certain forms of kidney,
 stomach, bladder and blood disorders;" (yellow circular, entirely in German,
 apparently same statements as those quoted above); (yellow card, inclosed in
 separate carton in same shipment) 'The King of Blood Purifiers and
 Nerve Tonics' * * * in invigorating the Blood and restoring natural
 strength to Old and Young. * * * You need it if suffering from Blood
 Impurities. * * * works on the * * * Stomach, Liver, Kidneys, Blood
 and Nerves thoroughly cleansing the entire system at one time. * * *
 Emerson's Honduras Sarsaparilla Compound is a Specific for Rheumatism,
 Lumbago, Kidney Troubles, Torpid Liver, Gravel, Inflammation, Ulceration,
 Catarrh, Bladder and all Urinary Diseases. It is highly recommended in all
 cases of 'Bright's Disease,' Biliousness, Malarial Conditions, Impaired Digestion
 or Gout. It Builds up quickly a run down vitality and creates natural sleep
 and rest. In all cases of LaGrippe and Lost Nerve Force * * * To woman-
 hood it relieves those dull headaches and nervous spells almost instantly. To
 manhood it creates strength, vigor and energy."

On June 2, 1930, 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.*

**17388. Misbranding of Dr. Kaufmann's sulphur bitters. U. S. v. 24 Bottles of
 Dr. Kaufmann's Sulphur Bitters. Default decree of condemnation,
 forfeiture, and destruction. (F. & D. No. 24507. I. S. No. 015236. S.
 No. 2798.)**

On February 4, 1930, 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 24 bottles of Dr. Kaufmann's sulphur bitters, remaining in the original
 unbroken packages at Baltimore, Md., alleging that the article had been shipped
 by A. P. Ordway & Co., from New York, N. Y., on or about January 6, 1930,
 and transported from the State of New York 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 con-
 sisted essentially of extracts of plant drugs including aloe, podophyllum, and
 a bitter drug such as gentian, a very small amount of sulphur, alcohol, and
 water.

It was alleged in the libel that the article was misbranded in that the state-
 ment on the label, "Sulphur Bitters," was false and misleading, since there
 was but a minute amount of sulphur present in the preparation. Misbranding
 was alleged for the further reason that the following statements appearing on
 the bottle label and in the accompanying booklet, regarding the curative or
 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) "In obstinate cases of biliousness and costiveness;"
 (booklet) "Sickness and Its Cause. What is the greatest cause of sickness?"
 * * * Poor, thin, vile, vitiated blood. * * * At times we see people who
 are dizzy and have fainting fits. These, when not attended to, will result in a