

morning or so take from one to two teaspoonfuls \* \* \* You may not feel the need of it right then—it may look foolish for a perfectly well human being to 'dose up'—but it is the only safe, sure road to perfect health that isn't marred by detours. Try it any way, and if you will, you have our guarantee, backed by reliable chemical and medical authority, that a new day of health has dawned for you. [p. 14] Simple Directions for Bewitching Beauty. If you really want a smooth, rosy, velvety complexion, you must begin at the very foundation by eliminating from the system that long accumulation of contamination. \* \* \* Take just one teaspoonful of Alertox, in a full glass of water, drinking as a beverage, before breakfast every morning. \* \* \* you will have a far more beautiful complexion, \* \* \* [p. 15] \* \* \* that is not all Alertox accomplishes—while it is clearing up your complexion it is, at the same time, improving your health by putting your entire system to rights, so:—you will not only look better, but you will feel better, too! Try this, for your complexion's sake."

On July 21, 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.*

**17630. Misbranding of Vapo Ply, Hoyt's cold tablets, and Hoyt's catarrhal jelly. U. S. v. 7 Packages of Vapo Ply, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 24857, 24858, 24859. I. S. Nos. 028285, 028286, 028287. S. No. 3189.)**

The labels of drug products known as Vapo Ply, Hoyt's cold tablets, and Hoyt's catarrhal jelly having been found to contain claims of curative and therapeutic effects that the articles were unable to accomplish, the Secretary of Agriculture reported to the United States attorney for the Eastern District of Pennsylvania, the herein described interstate shipments of products.

On June 26, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 7 packages of Vapo Ply, 23 packages of Hoyt's cold tablets, and 20 packages of Hoyt's catarrhal jelly, remaining in the original unbroken packages at Philadelphia, Pa., consigned by Hoyt Bros. (Inc.), Newark, N. J., alleging that the articles had been shipped from Newark, N. J., into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the articles by this department showed that Hoyt's Vapo-Ply consisted essentially of an ointment with a petrolatum base containing volatile oils including camphor, menthol, eucalyptol, thymol, and methyl salicylate; Hoyt's cold tablets contained acetanilide, quinine sulphate, aloin, capsicum, and camphor; and Hoyt's catarrhal jelly consisted essentially of petrolatum containing camphor, menthol, and eucalyptus oil.

It was alleged in the libels that the articles were misbranded in that the following statements appearing on the labels, regarding the curative and therapeutic effects of the said articles, were false and fraudulent, since they contained no ingredients or combinations of ingredients capable of producing the effects claimed: (Vapo Ply, carton) "Relief in Asthma, Influenza, Catarrh \* \* \* Croup, Sore Throat, Whooping Cough, Muscular Rheumatism \* \* \* Chilblains;" (Vapo-Ply, jar label) "Acute Bronchitis, Influenza, Congestion of the Lungs;" (cold tablets, carton) "Hoyt's Cold Tablets for recent \* \* \* Coughs, Influenza, etc.;" (catarrhal jelly, carton) "Hoyt's Catarrhal Jelly. Keep Your Nose and Throat Antiseptically Clean \* \* \* Coughs \* \* \* Influenza, La Grippe, and kindred affections;" (catarrhal jelly, tube label) "Hoyt's Catarrhal Jelly for Nasal Catarrh."

On September 16, 1930, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17631. Misbranding of Dr. Fenner's St. Vitus dance medicine. U. S. v. 14 Bottles, et al., of Dr. Fenner's St. Vitus Dance Medicine. Default decrees of condemnation and destruction. (F. & D. Nos. 24919, 24920, 24921. I. S. Nos. 027123, 5651, 5652. S. Nos. 3235, 3257, 3258.)**

Examination of samples of a drug product known as Dr. Fenner's St. Vitus dance medicine, from the herein described interstate shipments, having shown that the label and circular bore claims of curative and therapeutic effects that the article was unable to accomplish, the Secretary of Agriculture reported

the matter to the United States attorney for the Western District of Pennsylvania.

On July 22, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 40 bottles of Dr. Fenner's St. Vitus dance medicine at Pittsburgh, Pa., alleging that the article had been shipped by S. C. Wells & Co., from Le Roy, N. Y., in various consignments, on or about February 11, March 20, May 8, May 12, and May 15, 1930, respectively, and had been transported from the State of New York into the State of Pennsylvania, 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 compounds of arsenic and potassium, extracts of plant drugs, volatile oils including lavender and cassia oils, alcohol, and water.

It was alleged in substance in the libels that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, appearing on the bottle label and in the accompanying circular, together with certain testimonials in said circular recommending the preparation for St. Vitus dance, were false and fraudulent: (Bottle label) "St. Vitus Dance Medicine;" (circular) "St. Vitus Dance Remedy \* \* \* Chorea, or St. Vitus Dance is a disease that happily is of rare occurrence. It consists of a tendency to involuntary and irregular muscular contractions of the limbs and face, the mind and functions of the brain being generally quite unaffected. The spasms of Chorea differ from those of most other convulsion affections in being unaccompanied either by pain or by rigidity; being in fact momentary jerking movements, indicating a want of control of the will over the muscles rather than any real excess of their contractions. Chorea is a disease more common among children, occurring generally between the ages of five and twenty. It is also more commonly found in girls. The disease is confined generally to Northern latitude. Dr. Fenner's St. Vitus Dance Remedy has been exceptionally successful in the treatment of this malady. \* \* \* St. Vitus Dance is an extremely serious ailment so that the most careful attention should be given to the administration of the medicine, following the directions carefully."

On September 9, 1930, no claimant having appeared for the property, judgments of condemnation were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17632. Misbranding of Potaska. U. S. v. 12 Bottles of Potaska. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24779. I. S. No. 027956. S. No. 3144.)**

Examination of samples of a drug product known as Potaska, from the herein described interstate shipment having shown that the labels bore certain curative and therapeutic claims that were not justified by its composition, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of New York.

On July 2, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 12 bottles of Potaska at Albany, N. Y., alleging that the article had been shipped by F. M. Pease & Son, from Lee, Mass., on or about February 10, 1930, and had been transported from the State of Massachusetts into the State of New York, 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 an ammonium compound, gualac resin, potassium chlorate, volatile oils including lemon and lavender oils, sugar, alcohol, and water.

The article was labeled in part: (Bottle) "Sore Throat, Bronchitis, Hoarseness \* \* \* Do not rinse the throat after using the Specific;" (carton) "Potaska does not claim to cure All The Ills that flesh is heir to, but Claims Only what it has done and is doing every day \* \* \* Sore Throat, Catarrh, Bronchitis \* \* \* Hoarseness, Quinsy \* \* \* Potaska \* \* \* A specialty for Sore Throats."

It was alleged in the libel that the article was misbranded in that the above-quoted statements regarding the curative and therapeutic effects of the said article, borne on the labels, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.