

under which it was sold, in that each fluid ounce was represented to contain 8 grains of ammonium chloride, whereas it contained no ammonium chloride.

Misbranding of the said elixir creosotal compound was alleged for the reason that the statement, to wit, "Elixir Creosotal Compound \* \* \* Each Fluid-ounce Contains \* \* \* Ammonium Chloride 8 grs.," borne on the label, was false and misleading.

Adulteration of the antipyretic compound tablets was alleged for the reason that the strength and purity of the article fell below the professed standard and quality under which it was sold, in that each tablet was represented to contain  $3\frac{1}{2}$  grains of acetanilide, whereas each of the said tablets contained no acetanilide, but did contain 4.504 grains of acetphenetidin.

Misbranding of the said antipyretic compound tablets was alleged for the reason that the statement, to wit, "Each Tablet Contains Acetanilide 3 1-2 Grains," borne on the label, was false and misleading. Misbranding of the said antipyretic compound tablets was alleged for the further reason that the article contained acetphenetidin, a derivative of acetanilide, and the label failed to bear a statement of the quantity or proportion of acetphenetidin contained therein.

Adulteration of the oxyquinoline vaginal suppositories was alleged for the reason that the strength and purity of the article fell below the professed standard and quality under which it was sold, in that each suppository was represented to contain 2 grains of salicylic acid, 10 grains of boric acid, 1 grain of quinine alkaloid, and 1 grain of oxyquinoline sulphate, whereas each of said suppositories contained less of the named drugs than represented, to wit, not more than 0.75 grain of salicylic acid, not more than 8.135 grains of boric acid, not more than 0.73 grain of quinine alkaloid, and not more than 0.255 grain of oxyquinoline sulphate.

Misbranding of the said suppositories was alleged for the reason that the statements, "Suppositories Salicylic Acid 2 grains, Boric Acid 10 grains, Quinine Alkaloid 1 grain, Oxyquinoline Sulphate 1 grain," borne on the labels, were false and misleading.

Adulteration of the said santonin and calomel tablets was alleged for the reason that their strength and purity fell below the professed standard and quality under which they were sold, in that each tablet was represented to contain one-eighth grain of calomel, whereas each tablet contained not more than 0.111 grain of calomel, i. e., approximately one-ninth of a grain of calomel.

Misbranding of the said santonin and calomel tablets was alleged for the reason that the statement, to wit, "Tablets Triturates \* \* \* Calomel—1-8 gr.," borne on the label, was false and misleading.

Adulteration of the strychnine sulphate tablets and the codeine sulphate tablets was alleged for the reason that the strength and purity of the articles fell below the professed standard and quality under which they were sold, in that each of said tablets was represented to contain one-sixtieth grain of strychnine sulphate or one-eighth grain of codeine sulphate, as the case might be, whereas the former contained not more than 0.0138 grain, namely one-seventieth of a grain of strychnine sulphate, and the latter contained not more than 0.109 grain, namely, one-ninth grain of codeine sulphate per tablet.

Misbranding of the said strychnine sulphate tablets and the codeine sulphate tablets was alleged for the reason the statements, to wit, "Tablets Strychnine Sulphate \* \* \* 1-60 Grain" and "Tablets Codeine Sulphate 1-8 grain," borne on the labels of the respective products, were false and misleading.

On December 10, 1930, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$500 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17842. Adulteration and misbranding of Lung Saver. U. S. v. 708 Bottles of Lung Saver. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25229. I. S. No. 5207. S. No. 3491.)**

Examination of samples of a drug product, known as Lung Saver, having shown that the labels bore claims of curative and therapeutic properties that the article did not possess, and that it contained less chloroform than declared on the label, the Secretary of Agriculture reported the matter to the United States attorney for the District of New Jersey.

On October 21, 1930, the United States attorney filed in the United States District Court a libel praying seizure and condemnation of 708 bottles of Lung

Saver, remaining in the original unbroken packages at Camden, N. J., alleging that the article had been shipped by the Lung Saver Co., from Philadelphia, Pa., on or about October 8, 1930, and had been transported from the State of Pennsylvania into the State of New Jersey, 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 extracts of plant drugs including glycyrrhiza, chloroform (2.0 minims per fluid ounce), menthol, sugar, and water flavored with anise oil.

It was alleged in the libel that the article was adulterated in that it was sold under the following standard of strength (carton and bottle label) "Chloroform, 7 minims per fluid ounce," whereas the strength of the article fell below such professed standard in that it contained less chloroform per fluid ounce.

Misbranding was alleged for the reason that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Shipping carton containing 1 dozen bottles) "Lung Saver, The Good Cough Syrup, The Lung Saver Co.;" (bottle) "Lung Saver \* \* \* The Lung Saver Co. \* \* \* Lung Saver for Coughs \* \* \* Hoarseness, Bronchitis, Grippe, Tightness of the Chest, Asthma \* \* \* Whooping Cough and Croup \* \* \* For Asthma and Bronchitis;" (counter display) "Lung Saver The Good Cough Syrup \* \* \* Lung Saver Cough Syrup, for \* \* \* Croup, Coughs, Whooping Cough, Tightness and Soreness on the Breast, Asthma, Bronchitis, Grippe and Hoarseness \* \* \* Why Cough? Use Lung Saver The Good Cough Syrup;" (molded in bottle) "Lung Saver, The Good Cough Syrup, The Lung Saver Co., Phila Pa. U. S. A."

On December 4, 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.*

**17843. Misbranding of 4-44. U. S. v. 10 Bottles of 4-44. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25377. I. S. No. 5911. S. No. 3526.)**

Examination of samples of a drug product, known as 4-44, having shown that the labels bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture reported to the United States attorney for the Western District of South Carolina the herein-described interstate shipment of a quantity of the product located at Anderson, S. C.

On October 6, 1930, the United States attorney filed in the United States District Court a libel praying seizure and condemnation of 10 bottles of 4-44 at Anderson, S. C., alleging that the article had been shipped by the United Products Co., from Elberton, Ga., on or about September 23, 1930, and had been transported from the State of Georgia into the State of South Carolina, 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 magnesium sulphate, compounds of ammonium, sodium, potassium, and phosphorus, small amounts of saccharin and salicylic acid, traces of calcium, iodine, and manganese, sugar and water, flavored with lemon oil and colored with a red dye.

It was alleged in substance in the libel that the article was misbranded in that the carton and bottle labels bore the following statements regarding the curative or therapeutic effects of the said article, whereas it contained no ingredient or combination of ingredients capable of producing the said effects, and in that the said statements were applied to the article so as to represent falsely and fraudulently to purchasers that it was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named: (Carton) "A marvelous medicine for many maladies—for \* \* \* Influenza, Indigestion, Torpid Liver, Constipation, Kidney and Bladder Diseases—Relieves a long list of ailments due to sluggish liver and disordered kidneys—corrects disorders due to constipation \* \* \* Chills, fever, rheumatism and malaria \* \* \* Medicinal elements vital to blood nourishment and \* \* \* Good digestion and Vitality;" (bottle label) "For Forty-four diseases \* \* \* Including liver, kidney and stomach troubles, constipation, indigestion and influenza, indicated in the treatment of rheumatism, coughs \* \* \* jaundice \* \* \* this preparation builds and purifies the blood giving new life because of the vital elements it contains."