

upon and within the package containing the article, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: "For Sciatica, Muscular and Chronic Rheumatism. Successfully used since October 14, 1892, in the treatment of Gout \* \* \*. For Sciatica and Muscular Rheumatism and in the treatment of Chronic Rheumatism and Gout. \* \* \* had at that time been a sufferer from Chronic Rheumatism for more than ten years, and had given up hope of ever being relieved. He used the medicine with the most satisfactory results, a complete and permanent cure being effected \* \* \*. It is a Prescription that represents a combination of medicines so exact in proportion as to exert their curative powers in a remarkable degree in the various forms of Muscular and Chronic Rheumatism \* \* \*. Our earnest request to those who have been restored to health by its use, is that \* \* \*. This medicine has been used successfully in Sciatica and Muscular Rheumatism and in the treatment of Chronic Rheumatism and Gout, it has proven to be of value. \* \* \*. Prescription 3913, in the cases where it has proven effective produces results that are permanent and complete. \* \* \*. Sciatica, Muscular \* \* \*. For Rheumatism, Chronic Rheumatism and Gout."

On February 17, 1931, 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.*

**17903. Misbranding of Ru-Co. U. S. v. 25 Dozen Bottles of Ru-Co. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25850. I. S. No. 8734. S. No. 4083.)**

Examination of a sample of a drug product known as Ru-Co having shown that the labeling 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 Eastern District of Louisiana the presence of a quantity of the product at New Orleans, La.

On February 2, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 25 dozen bottles of Ru-Co., remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Clyde Collins Chemical Co. (Inc.), Memphis, Tenn., on or about January 5, 1931, and had been transported from the State of Tennessee into the State of Louisiana, and charging misbranding in violation of food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of magnesium sulphate, sodium sulphate, and small proportions of saccharin, citric acid, and tartaric acid.

It was alleged in the libel that the article was misbranded in that the following statements appearing upon the label, 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 results claimed: "Highly recommended in the treatment of Rheumatism, Indigestion and Functional Disorders of the Liver. \* \* \* actually eliminates intestinal poisons, which if retained, would be the cause of much distress and actual sickness. It is a real system cleanser and purifier. \* \* \* has given notable results in treatment of Rheumatism, Gout, \* \* \* and Indigestion so frequently the results of intestinal stagnation. \* \* \* for Rheumatism. Indigestion \* \* \* and stomach Complaints."

On February 25, 1931, 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.*

**17904. Misbranding of Grimault & Co.'s syrup of hypophosphite of lime. U. S. v. 50 Bottles of Syrup of Hypophosphite of Lime. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25835. I. S. No. 5741. S. No. 4048.)**

Examination of a sample of a drug product, known as Grimault & Co.'s syrup of hypophosphite of lime, from the herein-described shipment having shown that the label bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Porto Rico.

On January 30, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 50 bottles of syrup of hypophosphite of lime, alleging that the article had been shipped by E. Fougere & Co. (Inc.), New York, N. Y., on or about December 20, 1930, to San Juan, P. R., and that it was being sold and offered for sale in Porto Rico by J. M. Blanco (Inc.), San Juan, P. R., 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 calcium hypophosphite, morphine hydrochloride (one twenty-second grain per fluid ounce), sugar, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing on and within the package containing the said article, regarding its curative or therapeutic effects, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (In English and their equivalent in French, Spanish, and Italian) "Employed with success in Pulmonary Phthisis, Asthma, Affections of the Lungs, Liver, Spleen, Etc. Etc. For a long time, physicians and chemists have been on the lookout for a medicine capable of combatting the terrible disease that is known under the name of Pulmonary Phthisis; thousands of prescriptions and new combinations have been proposed successively but useless; \* \* \* one of them wrote the following: 'I started my tests with half a grain of hypophosphite of calcium, and slowly, I took six grains at a time without feeling any inconvenience.' \* \* \* 'Convinced of its harmless character at this dose, I tried it for the first time on March 13, 1885, on a young woman of nineteen, suffering from acute tuberculosis as a result of parturition. The two lungs were infiltrated with tubercles in a softening state; there existed swelling of the abdomen with acute pains on pressure, intense fever, extreme prostration, in fact, all the symptoms of a peritonitis tending rapidly towards a fatal end. Thanks to the hypophosphite of calcium, the patient was able to rise at the fourth day and asked to eat. The change was so rapid and the improvement of all the symptoms in general so surprising, that even I myself did not believe it. The second case that I treated \* \* \* Immediately I subjected the patient to the hypophosphite of calcium treatment, which rapidly calmed all the symptoms. She continued to take it for several months later, at the end of which I confirmed that there existed in the patient no traces of the general symptoms nor of the physical signs which I encountered at the beginning.' \* \* \* The sure means of preventing the diseases of the chest is by the use of the hypophosphite of calcium; \* \* \* The nervous and functional disorders, such as, torpidity of the digestive tract, disappear at the same time. \* \* \* 'In an old man of sixty-five who had been suffering for two years from violent attacks of asthma, as a result of an acute bronchitis and that was in an advanced state of cachexia, which almost made it impossible for him to come to my house in a coach, a treatment of six weeks was enough to cause all the symptoms to disappear, and to give him the aspect and vigor of a man of fifty-five years. No matter what the cause may be, the richness of blood increases considerably, the cough and expectoration disappear immediately or is modified in a noticeable way, sometimes in twenty-four hours.' As hypophosphites vary in their composition and nature \* \* \* we have thought it our duty in order to remedy this, to offer to the public, under the seal of guaranty of our firm, a preparation of constant quality and agreeable taste."

On March 6, 1931, 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.*

**17905. Adulteration and misbranding of Dr. Hubbel's formula. U. S. v. 45 Cards Bearing 3 Bottles Each, and 3 Extra Bottles of Dr. Hubbel's Formula. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25849. I. S. No. 5074. S. No. 3776.)**

Examination of a sample of a drug product, known as Dr. Hubbel's formula, from the herein-described shipment having shown that the article contained more alcohol than declared on the label, and that the display card, carton, bottle label, and accompanying circular bore claims of curative and therapeutic