

ment remaining in the original unbroken packages, in part at Grand Junction, Colo., and in part at Pueblo, Colo., consigned by the Texatine Medicine Co., alleging that the articles had been shipped in various lots, in part on or about October 4, 6, and 9, 1930, from Enid, Okla., in part on or about November 6, 1930, from Hot Springs, Ark., and in part on or about October 18, 1930, from Fort Smith Ark., and had been transported from the States of Oklahoma and Arkansas into the State of Colorado, and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the articles by this department showed that Smith's specific compound consisted essentially of magnesium sulphate, a small proportion of salicylic acid, extracts of plant drugs, and water; Smith's King of All Pain consisted essentially of petroleum oils and nitrobenzene; and Tex-A-Tine ointment consisted essentially of petrolatum (97.4 per cent), a minute proportion of menthol, and cinchonidine (0.28 per cent).

It was alleged in the libels that the articles were misbranded in that the following statements 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: (Smith's specific compound, bottle) "Specific Compound is indicated in all diseases of the Blood, Stomach, Liver and Kidneys, Boils, Carbuncles and Pimples, Scrofula and Eruptions of the Skin, Rheumatism in all its various forms. \* \* \* Rheumatic Gout, Indigestion, Biliousness, Liver Trouble, Sick Headache, Nervousness, Hay Fever Catarrh, Eczema and Itching of the Skin, Malaria and La Grippe, Chills, Fever, Ague and all Malarial Diseases;" (Smith's King of All Pain, bottle) "King of All Pain! An Emergency Medicine in Case of Accident. For Neuralgia, Headache, Frosted Feet, Chilblains, Bruises, Sprains, Strains, Lumbago, Boils, Wounds, Cuts, Hoarseness, Deafness, Quinsy and Croup, Diarrhoea and Dysentery. \* \* \* A Quick and Sure Relief from all Pains. Earache, and Toothache, Felons, Bunions and Corns, Burns, Scalds, Lamé Joints, Sciatica, Caked Breasts, Sore Throat, Tonsillitis, and in fact for all Aches and pains. \* \* \* Apply a little to the Seat of pain;" (Tex-A-Tine ointment, jar) "Relief for Nasal Catarrh, Hay Fever, Eczema, Piles, Diseases of the Feet and Itching of the Skin."

On January 31, 1931, 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.*

**17972. Misbranding of Dr. Whitehall's rheumatic remedy. U. S. v. 47 Cartons of Dr. Whitehall's Rheumatic Remedy. Default decree of destruction entered. (F. & D. No. 25496. I. S. No. 612. S. No. 3748.)**

Examination of samples of a drug product, known as Dr. Whitehall's rheumatic remedy, having shown that the labels bore claims of curative and therapeutic properties which the article did not possess, the Secretary of Agriculture reported to the United States attorney for the Southern District of California, the herein-described shipment of a lot of the product located in Los Angeles, Calif.

On December 19, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 47 cartons of Dr. Whitehall's rheumatic remedy, remaining in the original unbroken packages at Los Angeles, Calif., consigned by the McCullough Drug Co., Lawrenceburg, Ind., alleging that the article had been shipped from Lawrenceburg, Ind., on or about October 23, 1930, and transported from the State of Indiana 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 acentanilide, sodium salicylate, sugar, starch, and talc.

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 in the accompanying circular, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "Rheumatic Remedy \* \* \* For Rheumatism and Gout \* \* \* Directions: For acute or Inflammatory Rheumatism take a tablet every 2 to 4 hours. \* \* \* In Chronic cases, after severe symptoms have \* \* \* For Gout, Lumbago, Stiff, Swollen and Tender Joints, Crick in the Back, Stiff Neck, and ordinary forms of Rheumatism;" (circular) "Rheumatic Remedy. For Rheumatism & Gout. \* \* \* For the

Benefit of Persons afflicted with Rheumatism in any of its various forms, we confidently offer \* \* \* Rheumatic Remedy One That Can Be Relied Upon For Gout, Lumbago, Stiff, Swollen and Tender Joints, Crick in the Back, Stiff Neck, and other forms of Rheumatism. \* \* \* Rheumatic Remedy \* \* \* Directions: For Acute Rheumatism \* \* \* In the treatment of chronic cases."

On January 30, 1931, no claimant having appeared for the property, judgment was entered finding the product misbranded, and it was ordered by the court that the said product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17973. Misbranding of McCormick's cold and pain salve. U. S. v. 46 Jars of McCormick's Cold and Pain Salve. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25519. I. S. No. 14501. S. No. 3768.)**

Examination of samples of a drug product, known as McCormick's cold and pain salve, 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 Northern District of Georgia the herein-described shipment of a quantity of the product located in Rome, Ga.

On or about January 6, 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 46 jars of McCormick's cold and pain salve, remaining in the original unbroken packages at Rome, Ga., alleging that the article had been shipped by McCormick & Co. (Inc.), from Baltimore, Md., on or about November 23, 1930, and transported from the State of Maryland into the State of Georgia, 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 petrolatum containing volatile oils including camphor, menthol, pine oil, and thyme oil.

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 booklet, regarding the curative and 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: (Bottle) "For \* \* \* Catarrh, etc. \* \* \* For Eczema, \* \* \* or other inflammation of the skin. \* \* \* McCormick's \* \* \* Pain Salve \* \* \* For \* \* \* Bronchitis, Pneumonia, etc. If pneumonia or other serious complications are suspected, call a physician at once. \* \* \* Repeat treatment every three or four hours. Sore Throat, \* \* \* Coughs, Whooping Cough;" (carton) "Pain Salve \* \* \* Valuable in the treatment \* \* \* Sore Throat, LaGrippe, Pneumonia, \* \* \* Skin Irritations. \* \* \* Internally, by the Inhalation of the wonderfully healing vapors which it evolves, McCormick's Salve penetrates the most minute recesses of the nose, throat, lungs and bronchial tubes, allaying pain and reducing inflammation wherever it reaches. \* \* \* Useful in all forms of Inflammation such as Asthma, Bronchitis, Catarrh \* \* \* Coughs, Hay Fever, La Grippe, Pneumonia, Sore Throat, Whooping Cough, \* \* \* Boils and \* \* \* Eczema, \* \* \* Headache, Neuralgia, Rheumatism Piles;" (booklet) "Pain salve. Valuable in the treatment of \* \* \* sore throat, La Grippe, Pneumonia, Aches and Pains, \* \* \* Pain Salve is primarily an inhalent treatment for diseases of the lungs and air passages of an inflammatory character. The highly aromatic and healing vapors which it evolves, penetrate and carry their virtues to the most minute recesses of the affected organs."

On January 27, 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.*

**17974. Adulteration and misbranding of ether. U. S. v. 10 Cases of Ether. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 24128. I. S. No. 03958. S. No. 2364.)**

Examination of samples of ether from the herein-described shipment showed that it did not conform to the United States Pharmacopoeia, since peroxide and excessive acid were found in the said samples.