

Misbranding was alleged for the reason that certain statements appearing in the labeling in Spanish, of which the following is a translation, were false and misleading: (Wrapper and bottle label) "Perfected and tasteless Preparation of 'Extract of Liver of Cod.' * * * contains a solution of an extract which is obtained from fresh cod livers;" (circular) "With the extract of cod liver." Misbranding was alleged for the further reason that certain statements appearing on the wrapper and in the circular in Spanish, of which the following is a translation, regarding the curative or therapeutic effects of the article, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Wrapper) "The rapid increase in health and strength that is felt by those persons that carefully follow the instructions given herewith, will attest the repair value of this preparation as a Reconstituent Tonic in recovering from disease of acute character, and as an appreciable addition in the treatment of Phthisis (Consumption), Pulmonary Diseases, Bronchitis, Obstinate Coughs * * * Nervous Debility, affections due to exhaustion of the nervous system or due to Anaemia, Chlorosis, Emaciation, Scrofula and Disorders of the Blood, Prostration due to Fevers and in Convalescence;" (circular) "Do Not Neglect Yourself: The various symptoms of a debilitating condition which every person recognizes in himself are signs that under no circumstances should be ignored, because otherwise, the germs of diseases will increase, with great danger of fatal consequences. The germs of phthisis may be absorbed by the lungs at any time, incubating and multiplying themselves with rapidity, unless the system is well fed to the extent of resisting their attacks. The Wampole Preparation * * * fortifies the system against all changes of temperature which invariably produce cough, catarrh, grippe, influenza, phthisis, pneumonia and diseases due to debility of the lungs and rachitic constitution. Taken on time, it fortifies the organism against phthisis. Men whose systems are exhausted because of the preoccupations due to their business, or to excesses or by body afflictions, will find in the Wampole preparation, an aperitive reconstituent tonic that will fortify their systems and will invigorate their imaginations and body, so necessary to recover the losses due to diseases. Women of delicate health, of weak and exhausted constitution, pale, nervous and languid require a remedy that will give them strength, vitality and will enrich the blood and will fortify their debility which are the cause of all their troubles. The Wampole Preparation feeds the body. Girls who are entering into womanhood with pale faces and weakness due to poor growth, should have nutrition that will give them vigorous and robust health. Wampole Preparation taken before meals, increases the appetite, aids digestion and fortifies the lungs and weak bones. Children take it with pleasure. For this reason, progressive physicians prescribe it with excellent results in reconstructing the system of pale, rachitic, exhausted and scrofulous children, specially in those suffering from anaemia and diseases of the blood, making them capable of becoming sound men and women. Infants become weak and thin when their systems are weakened by bad digestion. Then is when their systems require that their mothers should feed them, who are at the same time, weak and exhausted and unable to do it. The Wampole Preparation supplies what they need and it is easily digested by the most delicate stomach. Diseases of the Blood: When the Blood is impaired and anaemic, it carries the debility to all the system because the vivacity of human life is caused by means of the blood. This proves the necessity of having pure and rich blood, because its impoverishment may result in many afflictions such as anaemia, scrofula, general debility, pulmonary scrofula and other diseases caused by specific germs. Prevent them by taking the Wampole Preparation."

On April 11, 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.*

18206. Misbranding of Abell's Formalde balm. U. S. v. 11 Jars of Abell's Formalde Balm. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25971. I. S. No. 14625. S. No. 4191.)

Examination of a drug product known as Abell's Formalde balm having shown that the bottle label and the accompanying circular bore statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported to the United States attorney for the Northern District of Illinois the shipment herein described, involving a quantity of the product located at Chicago, Ill.

On March 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 11 jars of Abell's Formalde balm at Chicago, Ill., alleging that the article had been shipped by the Home Remedy Co., from South Haven, Mich., January 19, 1931, and had been transported from the State of Michigan into the State of Illinois, 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 in which was incorporated approximately 1 per cent of volatile oils including eucalyptus oil and menthol. It contained no formaldehyde.

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 in the labeling, were false and fraudulent, since it contained no ingredient or medicinal agents capable of producing the effects claimed: (Bottle) "For * * * Inflammation of all kinds. Catarrh, Hay Fever, Sore Throat, Bronchitis, Influenza, * * * Itching Piles, Eczema;" (circular) "There are many varieties of Eczema, moist or dry, nearly all the dry kind are amenable to treatment with Formalde-Balm * * * For Boils * * * one of the most valuable preparations for inflammation of the throat and lungs on the market. * * * Directions for the use of Abell's Formalde-Balm * * * For Hay Fever * * * Sore Throat, Croup, Catarrh, Formalde-Balm * * * In Bronchitis, Sore Throat, Influenza, Pneumonia, or Congestion of any part, apply freely * * * For Itching Piles * * * For Corns * * * recommended for Bronchitis."

On April 14, 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.*

18207. Adulteration and misbranding of Pyros. U. S. v. 10½ Dozen Bottles of Pyros. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25326. I. S. No. 1200. S. No. 3558.)

Examination of a drug product known as Pyros showed that the bottle and carton labels and accompanying circular bore statements representing that the article possessed curative and therapeutic properties which it did not possess. Bacteriological examination of a sample taken from the shipment herein described showed that it was neither antiseptic nor germicidal.

On November 19, 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 the district aforesaid a libel praying seizure and condemnation of 10½ dozen bottles of Pyros, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Pyros Co., from Denver, Colo., on or about April 7, 1930, and had been transported from the State of Colorado into the State of Washington, 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 compounds of zinc, sodium, ammonium, and aluminum, sulphates, chlorides, glycerin, and water. Bacteriological examination showed that the article was not antiseptic nor germicidal.

It was alleged in the libel that the article was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, namely: (Carton) "Antiseptic;" (circular) "Pyros is an ideal antiseptic * * * Ingredients of Pyros Kali Hypermanganicum * * * Blue Stone * * * Pyrolusite * * * Sodium Bicarbonate, Sodium Carbonate * * * A powerful germicide, and penetrating antiseptic."

Misbranding was alleged for the reason that the following statements appearing in the labeling were false and misleading: (Carton) "A perfect Antiseptic;" (circular) "Pyros is an ideal antiseptic mouth wash, for it has a definite selective action on disease germs in the mouth. * * * The definite and selective germicidal action of Pyros stops the bacterial acid detrition in the first stages of tooth decay. * * * Kali Hypermanganicum * * * Blue Stone * * * Pyrolusite * * * Sodium Bicarbonate, Sodium carbonate. * * * A powerful germicide, a penetrating antiseptic." Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the said article were false and fraudulent, since it contained no