

the article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Can) "Surface Wounds such as Lacerations, Abrasions and Cuts * * * Barber's Itch * * * Rectal * * * Fissures;" (circular) "Surface Wounds, such as Lacerations, Abrasions and Cuts * * * Chilblains Barber's Itch."

On April 22, 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.*

18363. Misbranding of Luebert's Nox'Em pain tablets. U. S. v. 3 Dozen Boxes of Luebert's Nox-Em Pain Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26115. I. S. No. 27879. S. No. 4318.)

Examination of a drug product, known as Luebert's Nox'Em pain tablets, having shown that the carton 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 the matter to the United States attorney for the District of Delaware.

On March 27, 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 3 dozen boxes of Luebert's Nox'Em pain tablets, remaining in the original unbroken packages at Wilmington, Del., alleging that the article had been shipped by A. Gustav Luebert, from Coatesville, Pa., on or about September 10, 1930, and had been transported from the State of Pennsylvania into the State of Delaware, 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 of acetanilid (3.25 grains per tablet), caffeine, sodium bicarbonate, strychnine, and starch.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, 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: (Carton) "Pain Tablets * * * Promptly relieve all cases of Sick Nervous Headache, Sea or Car Sickness, Ovarian Pains, Painful Menstruation, Toothache, Faceache, Backache, Rheumatic Pains and Grippe;" (circular) "Pain Tablets Allay Nerve Pains, Headaches, Neuralgia, Woman's Aches and Ills, La Grippe These tablets are for the relief of pain no matter where located. * * * relieve headache, either mild or severe, acute or chronic, sick, nervous or neuralgic. They give safe, prompt and positive relief for nerve-racking headache and disperse it so quickly that you will wonder what has become of it. * * * They stop nerve pains, such as neuralgia of the head, face, neck and back, including toothache, faceache, earache and all pains located along the nerve tracts. They ease painful menstruation, periodic, bearing-down and ovarian pains. They are excellent for * * * fever and grip."

On April 22, 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.*

18364. Misbranding of Marshall's prepared cubeb cigarettes. U. S. v. 9 Gross Small Size, et al., of Marshall's Prepared Cubeb Cigarettes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25663. I. S. No. 12128. S. No. 3927.)

Examination of Marshall's prepared cubeb cigarettes having shown that the carton labels and accompanying circular contained 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 California the interstate shipment herein described, involving a quantity of the product at San Francisco, Calif.

On January 15, 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 9 gross, small size, and 6 gross, large size, of Marshall's prepared cubeb cigarettes, remaining in the original unbroken packages at San Francisco, Calif., consigned by James B. Horner (Inc.), New York, N. Y., alleging that the article had been shipped in interstate commerce from New York, N. Y., into

the State of California, in part on or about April 9, and in part on or about May 14, 1930, 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 of ground cubeb fruit and stems.

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 combination of ingredients capable of producing the effects claimed: (Small carton) "For Catarrh, Hay Fever, * * * Headache, Asthma, Diseases of the Throat, &c., &c. * * * For all Throat Diseases, Asthma, Bronchitis, etc., Inhale the Smoke, taking it into the lungs; and immediate relief will follow. * * * For Catarrhal Headache they are without a rival;" (circular accompanying small package) "A Remedy for Catarrh, * * * Asthma, Hay Fever; All Diseases of the Throat; Foul Breath, etc.;" (large carton) "For Catarrh, Hay Fever, * * * Asthma, all Diseases of the Throat, Foul Breath, &c. * * * For Catarrh, Hay Fever, * * * and other Nasal Diseases * * * If the nose is stopped up so that it is almost impossible to breathe, one or two cigarettes will make the head as clear as a bell. For all Throat Diseases, Asthma, &c., inhale the smoke or swallow it, or both, and immediate relief will follow. It is an efficient remedy for Offensive breath, and will make the most foul breath pure and sweet."

On June 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.*

18365. Misbranding of Anti-Uric outfits. U. S. v. 12 Anti-Uric Outfits. Default decree of destruction. (F. & D. No. 26008. I. S. No. 12260. S. No. 4231.)

The drug product herein described consisted of a liquid called Anti-Uric, a bottle of oil for use with the Anti-Uric, and a package of pills, one each inclosed in a carton and sold as an Anti-Uric outfit. Examination of the article having shown that the labeling of the outfit bore statements representing that it possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Utah.

On March 13, 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 12 of the said Anti-Uric outfits, remaining in the original unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped by the Brunswick Drug Co., from Los Angeles, Calif., on or about September 19, 1930, and had been transported from the State of California into the State of Utah, and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the article by this department showed that the liquid consisted essentially of extracts from vegetable drugs including resins, volatile oils and alcohol, preserved with formaldehyde; that the oil consisted of methyl salicylate (32 per cent) incorporated in a fatty oil; and that the pills contained as their medicinal ingredients extracts of laxative plant drugs including aloin and a resin.

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 combination of ingredients capable of producing the effects claimed: (Carton for outfit) "Anti-Uric * * * Wonderful * * * Treatment for Rheumatism, Gout, Sciatica, Lumbago and General Uric-Acid Conditions. Anti-Uric, for internal use, * * * is a valuable tonic and anti-rheumatic promoting the oxidation of uric acid * * * Anti-Uric Company * * * Anti-Uric is valuable in many cases of rheumatism and some ailments commonly called rheumatism. Rheumatic Fever, inflammatory or acute, and sciatic rheumatism often respond in a few days. Severe cases of long standing usually require more time;" (bottle label for liquid) "Anti-Uric * * * A Valuable Treatment for Rheumatism, Inflammatory Rheumatism, Arthritis, Lumbago, Gout, Neuritis, Sciatica, Kidney Trouble, Blood Disorders and General Uric Acid Conditions. * * * Important After taking Anti-Uric a few days the pains usually increase, moving from one part of the body to another. This,