

On May 18, 1931, no claimant having appeared for the property, judgment of condemnation 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.*

**18395. Misbranding of Kobolo tonic. U. S. v. 21 Bottles of Kobolo Tonic. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25750. I. S. No. 14662. S. No. 3971.)**

Examination of a drug product, known as Kobolo tonic, from the shipment herein described having shown that the bottle and carton labels 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 Eastern District of Wisconsin.

On January 20, 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 21 bottles of Kobolo tonic, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by M. J. Weiskopf, Chicago, Ill., on or about February 26, 1929, and had been transported from the State of Illinois into the State of Wisconsin, 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 iron citrate, methenamine, extracts of plant drugs including a laxative drug, alcohol, and water.

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 bottle and carton labels, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle) "Stomach Remedy \* \* \* indispensable to perfect digestion \* \* \* for treating gastric ailments, Indigestion, Want of Appetite, Malarial Diseases, dispels Low Spirits and Nervousness, removes that tired feeling, Affections and Derangements of the Urinary Organs. \* \* \* sustaining the system during arduous labors and journeys. It stimulates respiration and the brain by increasing its blood supply, increases the heart action, and under its daily use a considerable extra amount of labor can be borne without suffering. It Will Purify The Blood. Bones, muscles and nerves receive new force, brain power is supplied, and health and vigor restored;" (carton) "For \* \* \* Indigestion, Dyspepsia, \* \* \* Chills and Fever, Female Weaknesses. All Derangements of the Stomach, Liver and Kidneys. \* \* \* Aids Digestion, Strengthens the Entire System \* \* \* Makes Good Blood, Restores Health and Strength, Improves Every Function of the Body;" (shipping carton) "Stomach Remedy." Misbranding was alleged for the further reason that the statement on the bottle label, "Guaranteed under the National Food & Drugs Act. June 30, 1906. Serial Number 14072," was false and misleading.

On May 13, 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.*

**18396. Misbranding of Tiko. U. S. v. 12 Bottles of Tiko. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25746. I. S. No. 8462. S. No. 3970.)**

Examination of a drug product, known as Tiko, from the shipment herein described having shown that the carton and bottle labels 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 Southern District of Texas.

On January 16, 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 bottles of Tiko at Houston, Tex., alleging that the article had been shipped by the Kells Co., from Newburgh, N. Y., on or about July 12, 1930, and had been transported from the State of New York into the State of Texas, 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 potassium iodide, a trace of colchicine, alcohol, and water.

It was alleged in substance in the libel that the article was labeled in part, (carton and bottle) "Articular Rheumatism, Gouty Rheumatism, Inflammatory Rheumatism, Muscular Rheumatism, Sciatic Rheumatism, Acute or Chronic," (circular) "But do claim that it has been beneficial in genuine cases of Sciatic Rheumatism," and that it was misbranded, which misbranding was false and misleading. This department recommended that the charge be brought that the article was misbranded in that the statements from the carton and bottle labels and circular, above quoted, and certain additional statements appearing in the circular, were false and fraudulent.

On March 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.*

**18397. Misbranding of Wampole's vaginal cones boroglyceride compound with ichthyol. U. S. v. 9½ Dozen, et al., Wampole's Vaginal Cones Boroglyceride Compound with Ichthyol. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 25222, 25223. I. S. Nos. 8788, 8789. S. Nos. 3495, 3496.)**

Examination of a sample of Wampole's vaginal cones boroglyceride compound with ichthyol taken from one of the shipments herein described having shown that the wrapper, box label, and 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 Western District of New York.

On October 23, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 31½ dozen Wampole's vaginal cones boroglyceride compound with ichthyol, remaining in the original unbroken packages at Buffalo, N. Y., consigned by H. K. Wampole & Co., Philadelphia, Pa., alleging that the article had been shipped from Philadelphia, Pa., in various consignments, between the dates of April 3, 1930 and September 22, 1930, and had been transported from the State of Pennsylvania into the State of New York, 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 boric acid, borax, a sulphonated oil, a zinc compound, glycerin, and gelatin.

It was alleged in the libels 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: (Shipping wrapper) "Useful in Inflammatory Conditions;" (box) "For Inflammatory or Congested Conditions of the Vagina and Uterus;" (circular) "In treatment of gonorrhea, Wampole's Ichthyol Cones should prove a helpful adjunct, in view of the reported effectiveness of Ichthyol in cases of acute and chronic gonorrhea \* \* \* melting and dissolving slowly and completely, insuring opportunity for prolonged therapeutic action."

On January 7, 1931, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18398. Adulteration and misbranding of ether. U. S. v. Sixteen ¼-Pound Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25906. I. S. No. 27585. S. No. 4162.)**

Samples of ether from the shipment herein described having been found to contain peroxide, a decomposition product, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of North Carolina.

On February 16, 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 sixteen ¼-pound cans of ether, remaining in the original unbroken packages at Asheville, N. C., alleging that the article had been shipped by Merck & Co. (Inc.), from Rahway, N. J., on or about October 18, 1930, and had been transported from the State of New Jersey into the State of North Carolina, and charging adulteration and misbranding in violation of the food