

18930. Misbranding of Minton's asthma, hay fever, and catarrh remedy. U. S. v. 2 Dozen Bottles of Minton's Asthma, Hay Fever, and Catarrh Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26781. I. S. No. 18153. S. No. 4893.)

Examination of the drug product herein described having shown that the bottle and carton labels contained statements representing that the article possessed curative and therapeutic properties which, in fact, it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Indiana.

On July 7, 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 two dozen bottles of the said Minton's asthma, hay fever, and catarrh remedy, remaining in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped by D. L. Minton, Sidney, Ohio, on or about May 22, 1931, and had been transported from the State of Ohio into the State of Indiana, 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 plant extractives, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the bottle and carton labels, 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) "Minton's Asthma, Hay Fever and Catarrh Remedy. A Remedy for Asthma, Hay Fever, Catarrh and all Bronchial trouble. A scientific combination of remedies producing a specific in diseases arising from impure blood and weak nerves. This compound is a Powerful Tonic Invigorator and blood purifier * * * Directions * * * Every fifteen minutes until relieved;" (carton) "Minton's Asthma, Hay Fever and Catarrh Remedy * * * A remedy for Asthma, Hay Fever, Catarrh and Bronchial Troubles. A Scientific Combination of Remedies Expressly Prepared for the Treatment of all Diseases arising from Impure Blood and Weak Nerves. This Compound is a Powerful Tonic, Invigorator and Blood Purifier. * * * Is a Remedy for Asthma, Hay Fever, Catarrh and Bronchial Troubles. * * * Not Only Gives Immediate Relief but Removes the Cause of Disease."

On October 10, 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.*

18931. Misbranding of Wilson's Chloro-Inhaler. U. S. v. 144 Tubes of Wilson's Chloro-Inhaler. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26511. I. S. No. 22232. S. No. 4814.)

Examination of samples of a drug product, known as Wilson's Chloro-Inhaler, from the shipment herein described, having shown that the tube label and an accompanying display card 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 Oregon.

On June 19, 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 144 tubes of the said Wilson's Chloro-Inhaler, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Western Pacific Chemical Co., from Seattle, Wash., on May 25, 1931, and had been transported from the State of Washington into the State of Oregon, and charging misbranding in violation of the food and drugs act as amended.

Examination of a sample of the article by this department showed that it consisted of a glass inhaler in which was contained a cloth impregnated with menthol, a small proportion of a chlorine-yielding compound, a calcium salt, chloride, and carbonate.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of effecting the claims made: (Tube) "For * * * Hayfever, Flu, Headaches, etc.;" (display card) "For * * * Flu * * * Preventative Against Germs * * * Relief for Headaches."