

It was alleged in the information that the article was misbranded in that certain statements, designs, and devices, appearing on the carton and in the booklet inclosed in the carton, falsely and fraudulently represented that it was effective as a safe cleanser for diseases peculiar to women; effective as a safe, sure, and speedy remedy for diseases peculiar to women; effective as a safe and certain preventive of disease; effective as the quickest and best known remedy for gonorrhea in both male and female; effective to prevent the contraction of gonorrhea; effective as a treatment, remedy, and cure for all diseases of the generative tract, such as leucorrhea, falling of the womb, adhesions, cervical lacerations, ovarian affections, and menstrual derangements; effective as a preventive of specific and infectious venereal diseases, chancroidal ulcers and syphilis; effective to relieve disease and disorders peculiar to women; effective to relieve general weakness, dispel gloom, depression, and despondency; effective to build up the weak and exhausted system, to change lassitude and weakness to vigor, improve the digestion and appetite, strengthen and harden the muscles, tone the system, and purify the blood; effective to arrest involuntary loss of vitality, to bring sound and restful sleep, to strengthen the muscular and nerve centers, to supply power and create blood, to tone the relaxed and weakened parts; effective as a treatment, remedy, and cure for suppressed menstruation, flooding, and painful menstruation and leucorrhea; effective to purify the blood and restore vivacity; effective to absorb the scar tissue resulting from laceration of the cervix; effective as a treatment, remedy, and cure for chronic inflammation and ulceration, pruritis, ovarian disorders and displacements, retroversion and prolapsus of the womb; and effective to relieve the suffering, shorten the period, and mitigate the danger of change of life, whereas the said article contained no ingredients or medicinal agents effective for the said purposes.

On March 8, 1932, the defendants entered pleas of guilty to the information, and the court imposed fines in the amount of \$200.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19666. Adulteration of morphine sulphate tablets. U. S. v. Meyer Bros. Drug Co. Plea of nolo contendere. Fine, \$50 and costs. (F. & D. No. 27453. I. S. No. 24282.)

This action was based on an interstate shipment of a drug represented to be one-fourth grain morphine sulphate tablets, samples of which were found to contain less than one-fourth grain of morphine sulphate.

On January 12, 1932, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against Meyer Bros. Drug Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the food and drugs act, on or about October 27, 1930, from the State of Missouri into the State of Louisiana, of a quantity of morphine sulphate tablets that were adulterated. The article was labeled in part: (Bottles) "100 Hypodermic Tablets, Morphine Sulphate, $\frac{1}{4}$ Grain, Meyer Brothers Drug Co., Manufacturing Chemists, Saint Louis."

It was alleged in the information that the article was adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, since each of said tablets was represented to contain one-fourth of a grain of morphine sulphate, whereas each of said tablets contained less than so represented, to wit, not more than 0.2199 of a grain of morphine sulphate.

On April 25, 1932, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19667. Misbranding of Z-G-Herbs. U. S. v. 23 Packages of No. 5 Z-G-Herbs, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 27704 to 27708, incl. I. S. Nos. 50008 to 50012, incl. S. No. 5782.)

This action involved the interstate shipment of drug products known as Z-G-Herbs, which consisted of five different products distinguished by the numbers 5, 12, 24, 31, and 51, respectively. Examination of the articles disclosed no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On February 8, 1932, the United States attorney for the Eastern District of Michigan, 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 23 packages of No. 5 Z-G-Herbs, 32 packages of No. 12 Z-G-Herbs, 11 packages of No. 24 Z-G-Herbs, 10 packages of No. 31 Z-G-Herbs, and 10 packages of No. 51 Z-G-Herbs at Detroit, Mich., alleging that the articles had been shipped in interstate commerce on or about December 15, 1931, by the Z-G-Herbs Co., from Chicago, Ill., to Detroit, Mich., and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the articles by this department showed that the Z-G-Herbs No. 5 consisted largely of senna leaves and pods with relatively small proportions of althea root, horehound, American camomile, and American saffron; that the Z-G-Herbs No. 12 consisted largely of horehound with relatively small proportions of althea root, fennel seed, Irish moss, licorice root, and peppermint herb; that the Z-G-Herbs No. 24 consisted of a mixture of bittersweet herb, mistletoe, peony root, camomile flowers, and wormwood; that the Z-G-Herbs No. 31 consisted largely of matico leaves with smaller proportions of other plant material including arbor vitae, mallow leaves, uva ursi leaves, and equisetum; and that the Z-G-Herbs No. 51 consisted of a mixture of peppermint herb (about 5 parts) and rosemary leaves (about 1 part).

It was alleged in the libel that the articles were misbranded in that the following statements regarding the curative or therapeutic effects of the articles were false and fraudulent, since they contained no ingredients or combinations of ingredients capable of producing the effects claimed: (Circular accompanying Z-G-Herbs No. 5) "5. General Cold, Influenza Grip;" (circular accompanying Z-G-Herbs No. 12) "12. Cough Whooping Cough all diseases of the lungs;" (circular accompanying Z-G-Herbs No. 24) "24. Epilepsy, St. Vitus dance, nervous fright;" (circular accompanying Z-G-Herbs No. 31) "31. Tea for Gonorrhoea;" (circular accompanying Z-G-Herbs No. 51) "51. All diseases of the heart;" (circular headed "Purify Your System," accompanying all articles) "Purify Your System Renew Your Health * * * in order to be healthy you must keep your system Pure, * * * what is wealth without Health—Keep Your System Pure! You will enjoy freedom from pain and long years of life. How * * * your liver, * * * has the function of purifying your blood and by this process keeping your body pure and healthy. * * * Do not expect to be well when you are using pills or powders. * * * There is only one logical answer to your question of health.—Z. G. Herbs When you take Z. G. Herbs you feel the results at once, it cleans you out thoroughly—every inch of your twenty-five foot canal, including your stomach, small and the large intestine or colon is thoroughly cleared and washed clean and the accumulated poisons and catarrhal secretions are expelled out. * * * Eat what you please and go about your work, there is no danger, for Z. G. Herbs tea is perfectly safe as it creates no habit except the habit of healthy bowel action. * * * The Laws of Nature * * * and so against health we have sickness an against sickness we have Z. G. Herbs teas. Do not get discouraged when you are in pain, cause for every minute of pain—* * * as the pain which you have suffered. * * * when we feel pain we complain—how unjust the nature is. * * * you realize pleasure * * * know what pain is;" (circular headed "To Buyers of Herbs," accompanying all articles) "Every day we hear this question: Is Juniper good for kidneys and bladder? Is Chamomile good for Children? Is Irish Moss good for colds and coughs? and is this good for that and so forth. It is impossible for us to give a definite and affirmative answer in every case because while these ingredients have curative properties in one sickness or other, They cannot be helpful to every individual in every case. Were it so, the science of medicine would indeed be very simple. One could take a handful of each of a dozen ingredients and make a universal remedy which supposedly would cure every ailment under the sun from headache to ingrown toe-nails. It of course, would be a folly to attempt compounding such remedy. Twenty years of our experience have thought us that there is not a single herb or medicinal ingredient which would help in every form of certain ailment or in every human being. There are many forms of kidney trouble—there are many forms of stomach disturbances and there are many forms of every disease and the same one root or herb cannot help in all these forms. This was the very reason why over 20 years ago we have commenced to manufacture Z. G. Herbs Teas. Exhaustive study and research led us to manufacture Herb Compounds which would be equally efficient in every case of a certain ailment. And so for instance in our kidney tea, we are using 23 different roots, barks, seeds, flowers and leaves, most of them imported from different parts of the world, all ingredients being cut or ground finely in order

to get proper distribution of each ingredient so, that when you take a spoonfull of this mixture it will contain portion of each of the 23 ingredients. Each one of these ingredients has especial influence upon the Kidneys and Bladder, and such a combination Must be helpfull.—We apply the same principle to every one of our teas." Similar statements were made on the labeling in a foreign language.

On March 4, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19668. Adulteration and misbranding of Lar-Io-Ben. U. S. v. 66 Packages of Lar-Io-Ben. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 28243. I. S. No. 43942. S. No. 6110.)

Examination of the drug product, Lar-Io-Ben involved in this action, showed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed for it on the bottle label and carton. The article was also represented to be antiseptic, whereas it was not antiseptic when used as directed.

On April 25, 1932, the United States attorney for the District of New Jersey, 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 66 packages of the said Lar-Io-Ben, remaining in the original unbroken packages at Newark, N. J., alleging that the article had been shipped in interstate commerce in various consignments, on or about January 16, February 17, and March 26, 1932, by the Marvell Pharmacal Co. (Inc.), from New York, N. Y., to Newark, N. J., 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 small proportions of sodium chloride, iodides, benzyl alcohol, and gallic acid, and glycerin and water, flavored with vanillin. Bacteriological examination showed that the article was not antiseptic when diluted with five or more parts of water.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard or quality under which it was sold, namely: "Antiseptic * * * Dilute one part of Lar-Io-Ben with five or more parts of water, as instructed by your physician, for nasal douche, spray, gargle, or mouth wash." Misbranding was alleged for the reason that the following statements appearing on the carton and bottle label were false and misleading: (Carton) "Antiseptic * * * Antiseptic for Nose, Throat and Mouth;" (bottle) "Lar-Io-Ben * * * is a concentrated, antiseptic, * * * solution. * * * Directions:—Dilute one part of Lar-Io-Ben with five or more parts of water." Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, appearing on the carton and bottle label, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "A Prophylactic and Antiseptic Frequently Indicated for the Treatment of Diseases of the Nose, Throat and Mouth. * * * Antiseptic For Nose, Throat and Mouth A Prophylactic Against Infection;" (bottle) "It is a prophylactic against nasal, laryngeal and oral bacterial invasion, and is frequently indicated in acute and chronic tonsillitis, pharyngitis, laryngitis and rhinitis."

On June 13, 1932, 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.*

19669. Misbranding of Von's pink tablets. U. S. v. 16 Bottles of Von's Pink Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27926. I. S. No. 32621. S. No. 5968.)

Examination of a drug product, known as Von's pink tablets, taken from the interstate shipment involved in this action showed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed for it on the bottle label and in a circular shipped with the article.

On March 31, 1932, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court