

Drugs Act as amended. The article was labeled in part: "Cactus Butter * * * compounded and packed exclusively by Universal Cactus Food Products Phoenix, Arizona, * * * sole American distributor Phoenix Chemical Laboratories, manufacturing chemists * * * Phoenix, Arizona."

Analysis of a sample of the article by this Department showed that it consisted essentially of peanut butter with added oil and a trace of plant extractive material.

It was alleged in the libel that the article was adulterated in that its strength and purity fell below the professed standard or quality under which it was sold, namely, cactus butter.

Misbranding was alleged for the reason that the article was offered for sale under the name of another article, cactus butter. Misbranding was alleged for the further reason that the following statements appearing on the label, regarding the curative and therapeutic effects of the article, were false and fraudulent: "Cactus Butter is rich in sodium, iron, magnesium, potassium and all the mineral elements which are the building stones of the body. It stimulates, cleanses, revitalizes and restores normal functioning to the glandular system. * * * It has a great affinity for atmospheric oxygen, thereby purifying the blood-stream, improving the circulation and removing pathogenetic waste. This results, among other things, in removing skin blemishes and improving the complexion. It has very pronounced solvent qualities and prevents calcareous accumulations in the joints, muscles and tissues. It changes the intestinal flora, thereby normalizing the chyme. It restores normal functioning of the heart, kidneys, bowels and all vital organs. It feeds the nerves and removes the cause and effects of paralysis, nervous prostration, neuralgia, neuritis, worry and fear."

On November 7, 1932, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20561. Misbranding of Rider's household liniment. U.S. v. G. Haggard Rider. Plea of nolo contendere. Judgment of guilty. Fine, \$20. (F. & D. no. 27485. I.S. nos. 829, 19751.)

Examination of the drug preparation on which this case was based disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the carton and bottle labels, and in a circular shipped with the article.

On August 17, 1932, the United States attorney for the Southern District of California, 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 G. Haggard Rider, San Diego, Calif., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about February 7 and March 3, 1931, from the State of California into the State of Texas, of quantities of Rider's household liniment that was misbranded. The article was labeled in part: (Bottle) "Rider's Household Liniment * * * G. Haggard Rider Manufacturer San Diego, Calif."

Analysis of a sample of the article by this Department showed that it consisted essentially of mineral oil such as kerosene, a small proportion of sassafras oil, and a trace of a pungent principle, such as capsicum, colored yellow.

It was alleged in the information that the article was misbranded in that certain statements, designs, and devices regarding its therapeutic and curative effects, appearing on the bottle and carton labels and in a circular shipped with the article, falsely and fraudulently represented that it was effective as a remedy for muscular rheumatism, bronchial cough, spasmodic croup, acute pleurisy, lumbago, sciatica, all pains, and sick stomach.

On January 24, 1933, the defendant entered a plea of nolo contendere to the information. On January 25, 1933, a hearing was held on the plea, and the defendant was found guilty and fined \$10 on each of the two counts.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20562. Adulteration and misbranding of Acme medicated stock salt. U.S. v. 385 Pounds of Acme Medicated Stock Salt. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29299. Sample no. 6431-A.)

Examination of the drug product involved in this case disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. It also

was claimed for the article that it contained yeast, that its use would improve the condition of animals, aid them in gaining weight and fat, and enable cows to produce more milk. Analysis showed that it contained no yeast and did not possess the properties claimed.

On November 28, 1932, the United States attorney for the Western 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 a libel praying seizure and condemnation of 385 pounds of Acme medicated stock salt, alleging that the article had been shipped in interstate commerce on or about August 25, 1932, by the Acme Stock Salt Co., from Fostoria, Ohio, to Stewartsville, Mo., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Sack, circular, and booklet) "Yeastolized"; (sack) "Yeast."

Analysis of a sample of the article by this Department showed that it consisted essentially of sodium chloride (77 percent), magnesium sulphate (7 percent), calcium carbonate (7 percent), small proportions of iron sulphate, sulphur, sodium bicarbonate, fenugreek seed, quassia, and nux vomica, and a trace of an iodide. It contained no yeast.

It was alleged in the libel that the article was adulterated in that its strength and purity fell below the professed standard under which it was sold, viz: (Sack, circular, and booklet) "Yeastolized"; (sack) "Yeast."

Misbranding was alleged for the reason that the following statements in the labeling were false and misleading: (Sack) "Yeastolized. * * * Yeast"; (circular) "Yeastolized * * * Cattle Acme Stock Salt tends to promote proper food assimilation, increases weight, and keeps up the vigor of steers. It insures proper functioning of the milk producing organs of the dairy cow and largely increases the flow of milk as the size of the cream check. * * * Your hogs will put on more fat with less feed and be ready for market in a much shorter time"; (booklet) "Yeastolized."

Misbranding was alleged for the further reason that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the article, were false and fraudulent: (Circular) "Healthy Live Stock Pays You Larger Profits! * * * Horses Acme Stock Salt helps to remove the nervous tendencies of horses and promote much greater strength and resistance. Acme Salt balances the feed and makes bone and muscle, assuring sleek, healthy work animals. Especially beneficial during the rush season. * * * Costs but One-Half Cent per day per head to feed your Horses and Cattle and keep them in prime condition. One-Quarter Cent per day per head will do the same for your Hogs and Sheep, and lesser amounts for younger animals. At this very small cost no farmer or feeder can afford to take a chance. The added profits gained from increased production and the joy and satisfaction in having healthy live stock is worth far more to you than your initial investment. * * * Wise farmers realize the importance of preventing disease rather than curing sick animals. Use Acme and watch results. You Cannot Afford To Go A Single Day Without This Protection For Your Live Stock. Sheep. The regular addition of Acme Stock Salt to the feed of sheep and lambs protects their health and reduces stomach and bowel trouble to a minimum. Helps to properly balance their feed and insures proper functioning of the intestinal organs. Especially valuable in removing worms and at lambing time. Hogs Acme Stock Salt is prepared to * * * Keeps your hogs healthy and free from worms, tones up the whole system, and increases the rapidity of growth. * * * Acme Stock Salt * * * Its purpose is to keep farm animals in the best of health under all conditions and at all times"; ("Statement of Purchase") "I hereby agree to use Acme Stock Salt consistent with directions in order that I may obtain the benefits of the Guarantee of Free Veterinary Service in the treatment of any animal contracting disease after being fed one month or more and while continuously feeding the said Stock Salt"; (booklet) "Cholera is a condition that gets into a herd when they are unhealthy, full of worms, and run down. If an animal is healthy and well kept as a rule it will not be bothered with cholera. Our product is designed to prevent any disease from getting started, including cholera, * * * No matter what the disease is that starts to infect the herd the farmer should not complain, because if it does get a start in the herd after the product has been properly fed for a period of 30 days, then the veterinary can be called without expense to the farmer. Another question is that of worms. The continuous use of Sulphur, Quassia, Foenugreek Seed and Nux Vomica, make a mighty unpleasant condition in the

stomach and intestines for any parasites, worms or other similar foreign animal life that might get a start in the intestines. Then the continuous purgative and physic that is included in our product will bring about a tendency to cast off these internal pests, but in order to get the results it must be continuous. * * * There are times when nothing will clean an animal and especially hogs of worms. Worms get started from something that an animal eats. It picks up the larvae or eggs in the feed lot, pasture and troughs and these eggs are hatched out inside the animal and that's what makes the worms. Now if the animal's stomach and intestinal tract is kept clean and active through our Stock Conditioner you can see that the possibility of the worms getting started is lessened. It is very important, however, that you do not lose the sales to anyone if they claim that they have a herd that the worms will not leave * * * to say nothing of the increased market value for healthy animals. * * * Potassium Iodide is used in the treatment of lumpy jaw and azoturia. Iodine is used in the treatment of glandular tumors, cervical and ovarian cysts and in many skin diseases and glandular troubles. * * * It aids digestion * * * The fact that it aids digestion makes it valuable, for development of the animal is determined by what it digests, * * * increases the secretion of the intestinal glands. It is good for chronic stiffness and many skin diseases. * * * Sulphur gets into the intestinal tract * * * and to some extent is excreted through the skin. Thus getting at some skin troubles from within. Quassia is in our product to keep the animal's bowels well regulated. * * * stomach tonic. * * * aiding digestion. This naturally promotes the building up of the animal from its natural food. * * * Quassia is employed in cases of dyspepsia where there is vomiting or regurgitation of food and indigestion generally. * * * It has antiseptic value * * * helps prevent digestive disturbances. * * * a good stomach tonic. * * * increases bone formation. * * * stomach is toned up, the appetite is increased and the stomach and intestines are stepped up generally and the animal will eat the food that it wants. The animal must eat plenty of natural foods and Foenugreek Seed is one of the ingredients in our product that forces the animals to do that very thing. * * * This formula certainly can not be surpassed as one that will help keep animals in a strong and healthy condition so that they will not likely contract diseases. * * * Very often you will be asked about a particular disease and whether or not our formula is a cure for that disease. Your answer to that should be—that this is a well balanced tonic or conditioner and that it will do away with most ailments, * * * You can urge strongly that this Stock Salt has a strong tendency to keep animals permanently in a healthy condition. * * * to keep them in a healthy growing condition."

On January 30, 1933, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20563. Adulteration and misbranding of fluidextract of ginger. U.S. v. John A. Brinkley (B. & L. Distributing Co.). Plea of guilty. Fine, \$10. (F. & D. no. 28176. I.S. nos. 027328, 027330, 027331, 027332.)

This case was based on three shipments of a bottled product, represented to be fluidextract of ginger of pharmacopoeial standard, that contained materially less of the soluble constituents of ginger than prescribed by the United States Pharmacopoeia, and one barrel of a product sold as liquid medicine, the label of which failed to declare the alcohol content. In one of the three lots of the bottled product the alcohol content was below the minimum prescribed by the pharmacopoeia, and also below the minimum declared on the label; in one lot the alcohol content exceeded the maximum prescribed by the pharmacopoeia.

On January 6, 1933, the United States attorney for the Southern District of Ohio, 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 John A. Brinkley, trading as the B. & L. Distributing Co., Cincinnati, Ohio, charging violation of the Food and Drugs Act. It was alleged in the information that the defendant had shipped, on or about March 22, 1930, from the State of Ohio into the State of Massachusetts, one barrel of "Liquid Medicine" that was misbranded, and had shipped on or about April 4 and April 10, 1930, from the State of Ohio into the State of Massachusetts, three lots of fluid-