

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, (container) "Contains Acetphenetidin * * * 2 Grains per Tablet."

Misbranding was alleged for the reason that the statements on the container, "Contains Acetphenetidin * * * 2 grains per tablet. * * * Does not affect the heart"; and (leaflet) "Does not depress the heart", were false and misleading. Misbranding was alleged for the further reason that the label failed to bear a correct statement of the quantity or proportion of acetphenetidin, an acetanilid derivative, contained in the article, and for the further reason that the following statements, regarding its curative and therapeutic effects, were false and fraudulent: (Container) "Nuran * * * used with conspicuous success in * * * Toothache, * * * Neuritis, Tonsillitis, Sore Throat, Menstrual Pains, * * * Rheumatism, Influenza"; (leaflet) "Nuran * * * safer * * * more effective for Pain * * * etc."

On April 4, 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.*

20893. Misbranding of Frye's Hydrocarboline spray solution. U. S. v. 31 Bottles of Frye's Hydrocarboline Spray Solution. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29983. Sample no. 34584-A.)

Examination of the drug preparation, Frye's Hydrocarboline spray solution, disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On March 24, 1933, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court of the United States a libel praying seizure and condemnation of 31 bottles of Frye's Hydrocarboline spray solution at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about January 31, 1933, by the Geo. C. Frye Co., from Portland, Maine, to Boston, Mass., 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 liquid petrolatum containing 1.5 percent of volatile oils including menthol, thymol, eucalyptol, and methyl salicylate.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects, appearing on the bottle label and in an accompanying circular, were false and fraudulent: (Circular) "Aseptic * * * For Throat and Nose. * * * Unlike Atomizers which throw only coarse, heavy streams that are liable to do injury to an inflamed membrane, * * * The fineness of its vapor causes it to penetrate every portion of the respiratory tract. * * * a perfect vapor of antiseptic spray held in contact with inflamed surfaces of the middle ear and eustachian tubes, resulting in much benefit when defective hearing or humming in the ears is caused by acute inflammation or chronic catarrh. By a similar manipulation of the Hydrocarboline Nebulizer, the medicated vapor can be forced into the tubes and air cells of the lungs, giving a local application to the inflamed mucous membranes of bronchial tubes and recesses of lungs, which renders it invaluable in the treatment of Bronchial Catarrh, Acute Bronchitis, Pneumonia or Tuberculosis"; (bottle) "A Valuable Spray for the Treatment of Throat and Nasal Affections * * * Especially prepared for use in our Aseptic Hydrocarboline Nebulizer."

On April 20, 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.*

20894. Misbranding of Tan-A-Wa tonic and Tan-A-Wa Nervine. U. S. v. 50 Bottles of Tan-A-Wa (Tonic) and 18 Bottles of Tan-A-Wa Nervine. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 29773, 29774. Sample nos. 30051-A, 30052-A.)

Examination of the drug preparations involved in these cases disclosed that the articles contained no ingredients or combinations of ingredients capable of producing certain curative and therapeutic effects claimed in the labelings.

On January 26, 1933, the United States attorney for the Northern District of Indiana, acting upon reports by the Secretary of Agriculture, filed in the district court of the United States libels praying seizure and condemnations of 50 bottles of Tan-A-Wa tonic and 18 bottles of Tan-A-Wa Nervine at Columbia City, Ind., alleging that the articles had been shipped in interstate commerce, on or about October 18, 1932, by the Tan-A-Wa Medicine Co., Inc., from Columbus, Ohio, to Columbia City, Ind., and charging misbranding in violation of the Food and Drugs Act as amended.

Analyses of samples of the articles by this Department showed that Tan-A-Wa tonic consisted essentially of extracts of plant drugs including laxative drugs, berberis, and red pepper, a small proportion of a salicylate, alcohol, and water; and that Tan-A-Wa Nervine consisted essentially of potassium bromide (5.65 grams per 100 milliliters), ammonium bromide (2.28 grams per 100 milliliters), sodium benzoate, valerian, flavoring material including vanillin, sugar, and water.

It was alleged in the libels that the articles were misbranded in that the following statements, regarding the curative and therapeutic effects of the articles, were false and fraudulent: (Tan-A-Wa carton) "Digestive, Hepatic, * * * and Tonic * * * Assimilative Properties"; (Tan-A-Wa circular) "Tonic * * * This tonic * * * a product that will give the very best results to anyone who is in need of a good, all-around tonic. * * * one of the best tonics * * * tonics. * * * have a tendency to strengthen the system. * * * promotes the discharges from the throat and lungs. * * * Depurative. * * * effects a beneficial change in the system * * * cleanses from all impurities. * * * Hepatic and Stimulant Tonic. It acts on the liver and stimulates the system. * * * Emmenagogue and Hepatic. * * * promotes the menstrual flow in women, and also acts favorably on the kidneys. * * * cleansing qualities. * * * a Resolvent * * * a resolvent because of its ability to disperse inflammation, while its Diuretic qualities work on the kidneys, causing them to function properly. * * * and how they work on the human system. It is intended to overcome many ailments which are caused by constipation and the impurities which contaminate the system. This medicine is recommended to * * * assist the kidneys to perform their work, and impart strength to those parts which have become affected by improper functioning. * * * cleansing, purifying and toning properties * * * it helps to keep the system clean and in proper tone"; (Tan-A-Wa Nervine, bottle label and shipping carton) "Nervine * * * Indicated as a Sedative in Nervous Disturbances, Sleeplessness * * * Restlessness * * * Relaxes the Nerves, Calms the Body and induces Deep, Sound Sleep. Dose: One to two teaspoonfuls after meals"; (Tan-A-Wa Nervine, bottle carton) "Nervine * * * A Nerve Sedative Dose:—One or two teaspoonfuls after meals. * * * Nervine * * * in the treatment of most nervous diseases. It quiets the nerves, and gives natural sleep that is so necessary for a feeling of well-being. * * * Indicated as a Sedative in Nervous Disturbances, Sleeplessness, Restlessness * * * Relaxes the Nerves—Calms the Body and Induces Deep, Sound Sleep. * * * for relieving nervous disturbances and nerve irritation. Beneficial to man, woman and child"; (Tan-A-Wa Nervine booklet) "Nervine A Nerve Sedative * * * a direct sedative to the general nervous system and in the treatment of diseases arising from this cause, it gives excellent results. Dipsomania, Drunkenness and Delirium Tremens. Are produced by the nervous system. The craving for alcoholic drink is due to a very nervous temperament, and the person so afflicted drinks too freely and becomes drunk. Continuous drunkenness will result in Delirium Tremens. Treatment: In treating cases of drunkenness or delirium tremens * * * Take four teaspoonfuls in a cup of water every hour or two until the patient becomes quiet. * * * If patient does not sleep soundly at nights take a dose or two of this medicine in the evening. Those who desire to break the habit will find this medicine a wonderful aid to exercising the will-power by taking two or three teaspoonfuls, three times daily. Epilepsy—Fits This disease is of a two-fold character, the first is very severe and is characterized by convulsions and loss of consciousness. In many instances the patient falls insensible, the face becomes pale, the head is drawn backward or sidewise, froths at the mouth, grinding of teeth, and the tongue is frequently bitten. It usually lasts from two to five minutes, after which the patient falls into a deep sleep from which he awakes with a feeling of exhaustion and confusion of mind. In the second or lighter form, which is

known as epileptic vertigo, the person suddenly stops; then goes on as usual. Some cases there is a sudden dizziness, and a partial loss of consciousness, after which it passes off. Between these two cases there are other forms. In some cases the memory fails and the patient becomes irritable, melancholy and morose. The worst cases often terminate in insanity or imbecility. Treatment: Adults of normal weight usually take two teaspoonfuls three times a day. Smaller persons and children take less, according to their weight. Bowels should be kept open. If cases follow in rapid succession, an extra dose may be given. * * * Nervousness, Hysteria May be greatly benefited by the use of this medicine. Persons subject to nervous headaches will find great relief by taking this medicine regularly three times a day for a month or two at least. The bowels must be kept regular in order to get the proper results. When a headache begins, take two teaspoonfuls in a half cup of water, and, if possible, obtain a few minutes sleep. Nervousness is caused from Nerve Weakness, the nerve energy being impaired. In this case, this medicine should be taken—two teaspoonfuls three times a day in half a cup of water. If not relieved take another dose at bedtime. Be sure to keep the bowels open at all times. Hysteria is another manifestation of nervous irritation. Persons troubled with this disease cry easily, laugh at almost nothing, and do not seem able to control themselves. This medicine, as before described, being a nerve sedative, will tend to quiet the nerves and by exercising will power, the patient may actually overcome this trouble. Nervous Dyspepsia, Nervous Irritation and Neuralgia. Are all three traced to the nerves. Nervous Dyspepsia is usually the result of a nervous stomach. Care, anxiety, headache, dizziness, etc., greatly weaken these nerves. In the case of nervous dyspepsia there is nothing more important than diet. It is impossible to set forth a diet that will suit each case, but it will be found that by eliminating the following list of foods, which tend to disturb the digestive functions, the patient will be relieved. Biscuits, pancakes, Fresh Bread, Cakes, Mince Meat Pie, and all highly seasoned pastries; canned meats, salt pork, and boiled cabbage. Watch your diet and do not eat the things that seem to cause your stomach pain. Take this medicine regularly in two teaspoonful doses regularly three times daily. Nervous irritation is solely the result of deranged nerves, in reality, a nervous exhaustion. In other words, a breaking down of the nerves. Many troubles arise from this cause such as Dizziness, Headache, Sleeplessness, Anxiety, Weakness of the Heart, Eyes, Stomach, etc. Excess in eating, drinking, overwork, etc., are sources of this irritation. This medicine as above directed, with care in your diet, plenty of gentle exercise, moderate living, will restore these nerves and the patient will gain natural health rapidly. Neuralgia is of varied forms. Its symptoms are acute intermittent pains along the course of certain nerves and their branches. No fever or inflammation. In severe cases excruciating, citing, tearing, burning pain may follow. Facial Neuralgia, in which the nerve supplying the side of the face, eye, teeth and jaw is involved. Another form called Sciatica, affecting the great nerve below the hips and running down the back of thigh. For these and similar cases, this medicine should be taken as already described in two teaspoonful doses regularly three times a day for some time, taking as much rest and freedom from cares and worry as possible. Sleeplessness is often due to an irritated condition of the brain the same as headache. In mild cases two or three teaspoonfuls of this medicine in water before retiring will cause the patient to obtain a restful night's sleep. Cases more severe and of longer duration should be treated by two teaspoonful doses three times a day, the last dose just before retiring, and as the patient begins to improve and obtains sleep and rest, diminish the treatment gradually until thoroughly recovered. * * * Nervous diseases * * * In Nervous Diseases * * * The Digestive Organs are composed of hundreds of nerves, and any fault in digestion is registered by these nerves and may cause serious trouble. * * * Diet for Nervous Irritability * * * diet is the most essential thing in treating any disease arising from Nervous Disorders * * * Diet Suggested for Epileptics While this is also a nervous disease it differs from the Nervous Irritability * * *"

On March 11, 1933, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

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