

20895. Misbranding of compound syrup of tolu. U. S. v. 132 Bottles of Compound Syrup of Tolu. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29947. Sample no. 7861-A.)

Examination of the drug preparation, compound syrup of tolu, disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the bottle and carton labels; also that the article contained alcohol and that the label failed to declare the presence of the alcohol.

On March 20, 1933, the United States attorney for the District of Puerto Rico, 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 132 bottles of the said compound syrup of tolu, that was being offered for sale at San Juan, P.R., alleging that the article was in possession of Serra, Garabis & Co., Inc., San Juan, P.R., and that it was misbranded in violation of the Food and Drugs Act as amended. The article was labeled in part: (Translation from Spanish) "Compound Syrup of Tolu * * * The Flar Medicine Co. Porto Rico."

Analysis of a sample of the article by this Department showed that it consisted essentially of tolu, sodium benzoate, alcohol (1.4 percent), sugar, and water.

It was alleged in the libel that the article was misbranded in that the package failed to bear a statement on the label of the quantity or proportion of alcohol contained in the article. Misbranding was alleged for the further reason that the following statements regarding its curative or therapeutic effects were false and fraudulent: (Bottle) "Indicated in the Sub-Acute and Chronic Inflammations of the Respiratory Tract. Stimulant"; (carton) "For the Treatment of the Respiratory Tract."

On April 6, 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.*

20896. Misbranding of Save-The-Horse treatment. U. S. v. 97 Bottles of Save-The-Horse Treatment. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29903. Sample no. 27993-A.)

Examination of the drug preparation, Save-The-Horse treatment, disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the bottle label, carton, circular, and booklet shipped with the article.

On March 7, 1933, the United States attorney for the Northern District of California, 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 97 bottles of Save-The-Horse treatment at San Francisco, Calif., alleging that the article had been shipped in part on or about August 12, 1932, and in part on or about November 15, 1932, by the Troy Chemical Co., Inc., from Binghamton, N.Y., to San Francisco, Calif., 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 volatile oils, such as turpentine oil and tar oil (72 percent by volume), a trace of an iodine compound, and alcohol (15 percent), by volume.

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 and carton labels and in the circular and booklet, were false and fraudulent: (Bottle) "Save-The-Horse [cut showing diseased condition of horses' legs] For Lameness In Cases Of Bone Spavin, Ringbone (Except Low Ringbone) Splint, Windpuff * * * and bandage only in such specific cases as are described in Book of Directions which accompanies each bottle"; (carton) "Save-The-Horse Treatment * * * Lameness in cases of established Bone Spavin Splint Ringbone (except low ringbone) Lameness and enlargement of Bog Spavin * * * Thoroughpin [cut showing diseased conditions of horses' legs] Capped Hock, Wind Puff; * * * Bowed Tendon; Shoulder, Hip, and Certain Foot and Other Lameness * * * around the enlargements and all parts that are affected. * * * The potency of Save-The-Horse lies in its concentrated penetrating, absorbing properties. * * * Save-The-Horse has unusual penetrating, absorbing properties"; (circular) "Save-The-Horse Treatment * * * Savoss—coined from the name Save-The-Horse * * * The famous old formula for Save-The-Horse Treatment * * * Many prominent and successful Veterinarians and scores of reputable dairymen are now