

20942. Misbranding of V. S. Stocktone and adulteration and misbranding of V. S. Poultrytone. U. S. v. Eleven 6-Pound Packages of V. S. Stocktone, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 30380, 30381. Sample nos. 34949-A, 34950-A, 38011-A, 38098-A.)

Examination of the stock and poultry remedies involved in these cases disclosed that they contained no ingredient or combinations of ingredients capable of producing certain curative and therapeutic effects claimed in the labelings. It also was claimed in the labeling of the Poultrytone that the article contained cod-liver oil and would be of value for egg production, whereas it contained no cod-liver oil and was valueless for egg production.

On May 1, 1933, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 11 packages of Stocktone and 23 packages of Poultrytone at Princeton, N. J., and 23 packages of Stocktone and 48 packages of Poultrytone at Phillipsburg, N. J. It was alleged in the libels that the articles had been shipped in interstate commerce on or about November 22 and November 25, 1932, by the Federal Food Co., from Fostoria, Ohio; that they were misbranded in violation of the Food and Drugs Act as amended, and that the Poultrytone was also adulterated in violation of said act. The articles were labeled in part: "The Federal Food Company, New York, N. Y."

Analyses of samples of the articles by this Department showed that the V. S. Stocktone consisted essentially of calcium carbonate, magnesium sulphate, ferrous sulphate, sulphur, phosphates and small proportions of nux vomica, quassia, fenugreek seed, and American wormseed; and the V. S. Poultrytone consisted essentially of calcium carbonate, magnesium sulphate, sulphur, and small proportions of iron oxide, capsicum, and quassia. Cod-liver oil was not present.

The libels alleged that the Poultrytone was adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, namely, "Ingredients * * * Cod Liver Oil."

Misbranding of the Poultrytone was alleged for the reason that the statements, "Ingredients * * * Cod Liver Oil * * * For Production of Eggs", were false and misleading; and for the further reason that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent: (Carton) "For Sick Fowls:—Separate the sick fowls from those not already affected and give one tablespoonful daily for every 10 fowls."

Misbranding of the Stocktone was alleged for the reason that the following statements regarding its curative and therapeutic effects, appearing on the carton label, were false and fraudulent: "V. S. Stocktone is not a cure all. It is a remedy specifically for stomach and intestinal worms—the cause of 90% of all the sickness and losses among live stock—especially hogs and sheep. V. S. Stocktone will destroy and expel stomach and intestinal worms. It will do more. It corrects and aids digestion, tones the system, puts the stomach in condition to assimilate the food better; enables the animal to derive more good from what you feed; creates a better appetite; regulates the bowels so that, in a short time a healthy vigorous animal is the result. * * * give them free access to V. S. Stocktone, They Will Doctor Themselves."

On June 5, 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.*

20943. Misbranding of Mixer's cancer and scrofula syrup. U. S. v. 17 Bottles of Mixer's Cancer & Scrofula Syrup. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 28703. Sample no. 4093-A.)

Examination of the drug preparation involved in this action disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed.

On August 25, 1932, the United States attorney for the Northern District of Illinois, 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 17 bottles of Mixer's cancer and scrofula syrup at Chicago, Ill., alleging that the article had been shipped in interstate commerce August 27, 1931 (in part on June 25, 1932) by the Mixer Medicine Co., from Hastings, Mich., to Chicago, Ill., 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 (2.96 grams per 100 milliliters), extracts of plant drugs including a laxative plant drug, alcohol, sugar, and water.

It was alleged in the libel that the article was misbranded in that the carton and bottle labels and an accompanying booklet contained false and fraudulent statements regarding its usefulness in the treatment of cancer, including cancer of the lip, nose, face, eye, forehead, cheek, chin, eyebrow, ear, neck, tongue, shoulder, breast, womb, and knee, scrofulous affections, erysipelas, St. Anthony's fire, *tinea capitis*, scald head, milk crust, salt rheum, ringworm, tetter, tumors, ulcers, boils, pustules, blotches, pimples, catarrh, laryngitis, bronchitis, dyspepsia, piles, fistula, diseases peculiar to the glandular and assimilative systems, scrofula and kindred diseases, abscesses, all blood diseases, sores, fever sores, goiter, eruptions, malignant condition or growth, rheumatism, eczema, cancerous tumor, chronic ulcer, running sore, ulcers in throat, asthma, catarrh of stomach, enlarged glands, tuberculosis of the bone, sore eyes, blindness, carbuncles, ovarian tumor, consumption, cramping of limbs, milk leg, varicose veins, lameness of the back, and swelled neck.

On October 27, 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.

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

20944. Misbranding of Radium Cone No. 3. U. S. v. 19 Packages of Radium Cone. Default decree of condemnation and destruction. (F. & D. no. 29996. Sample no. 17316-A.)

Examination of the product involved in this case disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the circulars shipped with the article.

On or about April 3, 1933, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 19 packages of Radium Cone at Phoenix, Ariz., alleging that the article had been shipped in interstate commerce, on or about January 30, 1933, by Mrs. C. Thomas, from Long Beach, Calif., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Radium Cone * * * Radium Cone Company Long Beach, California."

Analysis of a sample of the article by this Department showed that it consisted of a brick containing radium. In 1 gallon of water in 18 hours it yielded 32.6 millimicrocuries of radon.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the article, appearing in the circulars, were false and fraudulent: (Small circular) "You Ask What to Do to Relieve Constipation Attempt to relieve the bowels each morning, at a regular time. Drink two glasses or More of water from the Radium Cone as soon as you get up in the morning. You may heat the water if you wish. Drink it during the day and not less than two glasses or more just before retiring; not less than 9 glasses a day of 24 hours. Chew food well, eat at regular intervals and eat slowly. Walking or bending exercises are fine; massage stomach and bowels before arising in the morning. Always have all the fresh air you possibly can in your sleeping room. Eat raw cabbage slaw, onions, garlic, carrots; lettuce, celery, spinach, peaches, apples, all kinds of berries, figs, plums, rhubarb, cream corn, cottage and roquefort cheese, honey and molasses, stale bread well toasted or whole wheat bread, bran. No pastry or pie crust. Avoid all dishes or meat that is fried. Follow the above directions for 30 days, drinking two or three quarts of water, or more, from the Radium Cone each day, or if you prefer, keep the constipation. It is directly the cause of all sickness and premature death. If you must take something use mineral oil with big glasses of radio-active water from the Cone, or Castor Oil, orange juice and enough Radium water to fill a glass. Nature will soon correct your trouble. The strictest diet and best water in the world from the Radium Cone may not correct all cases in 30 days. A 30-day trial is only to try and convince obstinate cases that it is Nature's way of eliminating all waste matter and dead cells by overcoming the cause. Ninety per cent of the cases will respond favorably, unless some very bad derangement is present. Sixty or ninety days of this above treatment will overcome most all chronic cases. * * * better health to more people"; (large circular) "Directions for Use of Radium Cone Emanator Place Radium Cone in 1, 2, 3, or 4-gallon water receptacle; fill with any water; allow to stand 12 hours before using,