

large circular accompanying this lot were false and fraudulent: "Catarrh—An inflammatory affection of any mucus membrane accompanied by increase of the mucus, especially from the nose. A violent head cold. We find Radumac a wonderful relief for catarrh of the head."

On June 30, 1933, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21182. Misbranding of Dr. Thacher's Diarrhoea Mixture. U. S. v. 160 Packages and 134 Packages of Dr. Thacher's Diarrhoea Mixture. Default decrees of condemnation and destruction. (F. & D. nos. 29761, 29762. Sample nos. 13222-A, 13359-A.)

Examination of the drug preparation Dr. Thacher's Diarrhoea Mixture disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the carton and bottle labels.

On January 20, 1933, the United States attorney for the Middle District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 134 packages of Dr. Thacher's Diarrhoea Mixture at Montgomery, Ala., and on January 21, 1933, the United States attorney for the Northern District of Alabama filed a libel against 160 packages of the product at Birmingham, Ala. It was alleged in the libels that the article had been shipped in interstate commerce, between the dates of May 12 and June 23, 1932, by the Allied Drug Products Co., from Chattanooga, Tenn., and that it was misbranded 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 extracts of plant drugs including a trace of tannin, approximately 0.4 percent of inorganic material including an iron compound, and large proportions of glycerin and water, flavored with clove oil.

It was alleged in the libels that the article was misbranded in that the following statements, appearing on the carton and bottle labels, regarding the curative and therapeutic effects of the article, were false and fraudulent: (Carton) "Diarrhoea, * * * Recommended as Valuable in the Treatment of Diarrhoea, Cholera Morbus, Cramp Colic, * * * Children Teething"; (bottle) Diarrhoea * * * Recommended as valuable in the treatment of Cholera Morbus, Diarrhoea, Children Teething and Sudden Attacks of Cramps and pains in the Bowels. * * * Directions: for a child 1 year old, 10 drops; 2 yrs. 15 to 20 drops; 4 to 8 yrs. 20 to 25 drops; 10 to 15 yrs. 30 drops. Adults 1 teaspoonful. Take in a spoonful of water after each action of the bowels."

On June 30, 1933, and August 5, 1933, no claimant having appeared for the property, judgments of condemnation were entered and it was ordered by the court that the products be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21183. Misbranding of Grimes' Ointment. U. S. v. 59 Tubes, et al., of Grimes' Ointment. Default decrees of destruction. (F. & D. nos. 30407, 30423. Sample nos. 35945-A, 36154-A.)

Examination of the drug preparation Grimes' Ointment disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. Tests also showed that the article was not an antiseptic, as claimed. The article contained an opium derivative which was not properly declared, since the reference to the presence of laudanum made on the back panels of the tube and jar and the tube and jar cartons, did not bear a declaration that laudanum is an opium derivative.

On May 6 and May 9, 1933, the United States attorney for the District of Utah, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 74 tubes and 32 jars of Grimes' Ointment at Salt Lake City, Utah, alleging that the article had been shipped in interstate commerce, in part by the Grimes Ointment Co., on or about November 1, 1932, and March 15, 1933, and in part by Ellen Garey, on or about April 13, 1933, both shipments having been made from Los Angeles, 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 including camphor, reducing sugars such

as honey, glycerin, rosin, and opium extract incorporated in an ointment base such as petrolatum and tallow. Bacteriological tests showed that it was not antiseptic.

It was alleged in the libels that the article was misbranded in that the statement in the circular, "An Antiseptic", was false and misleading. Misbranding was alleged for the further reason that the package failed to bear a plain statement on the label of the quantity or proportion of opium contained in the article, since the reference to the presence of laudanum on the back panels of the tube and jar labels and on the tube and jar cartons did not carry the declaration that laudanum is an opium preparation. Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article, appearing in the labeling, were false and fraudulent: (Jar label and jar carton label) "Healing * * * Blood Poison Remedy * * * to be used in the treatment of local infection, Piles, Boils, Ulcers, * * * and Skin Diseases"; (tube, label) "Healing * * * Blood Poison Remedy * * * A Healing and Reliable Remedy for Piles, Local Infection, * * * Etc. * * * Directions * * * in case of protruding or Hemroids Piles, * * * These directions are for itching, bleeding or Hemroids. For infection * * * etc."; (tube, carton) "Healing * * * Blood Poison Remedy * * * to be used in the treatment of local infection. Piles, Boils, Ulcers, * * * and Skin Diseases. * * * It cures"; (circular, for tube and jar) "Healing * * * The ointment is to be used in and for treatment of the following so-called diseases, local infection, * * * skin diseases of various kinds, old sores, abscesses, erysipelas, itch, * * * piles, and many other troubles of all kinds and character which may not be mentioned here. * * * heals * * * its curative power is indeed far-reaching, rapid and results in permanent healing, destroying the disease germs. * * * Testimonials 'For years I suffered from a sore leg. The Doctors advised me to have an operation. I heard of your Ointment and was advised to try it. It opened up the sore, and a 5-pointed rock came out of it. My leg is now well.' * * * 'My daughter received a severe burn; * * * the burn developed decidedly worse. A friend advised me to get some of your Grimes E. G. Ointment. Two jars healed the burn.' * * * 'My daughter was born with a birth-mark, over her eye. The Doctors wanted to operate; after the operation it would not heal. They Wanted to remove her eye. A friend asked me to try your Ointment. One jar and a half healed the sore.' * * * 'Both myself and Sister had bunions on our feet, * * * I secured a jar of your wonder Ointment. It cured both our bunions.' * * * 'I have used your ointment with splendid results, and can recommend it to anyone suffering from * * * or any skin diseases.' * * * 'I was suffering from a sore leg. For months nothing seemed to help it. I purchased a jar from you and in less than a week my leg was healed.' * * * 'While placing a purple ribbon on my typewriter I thoughtlessly rubbed my eye; in three days I had an infection in it. In 14 days my Dr. advised removing the eye. Heard of your Grimes Ointment; secured a jar, which healed my trouble.' * * * 'I am 75 years old. Was suffering from erysipelas around my face and head; doctor gave up hopes of my recovery. My son came and brought some of your ointment, which healed me.' * * * 'My three children had eczema. Your E. G. Ointment healed them. It has been 5 years, and no sign of it has returned. I am recommending it for skin diseases.' * * * 'my foot and leg were discolored and badly swollen. I was advised to try your Grimes E. G. Ointment, in 3 days the pain was gone and my leg and foot were normal.' * * * 'I contracted blood poison in my hand. * * * finally gangrene set in. * * * I decided to give your Ointment a trial. After 4 days my hand was healed, with exception of a little stiffness.' * * * 'I was suffering from a cancerous growth on my face * * * I secured and used 1 jar of your valuable remedy, which cured me. It is months, and I have had no trouble since—no sign of it returning.' * * * 'My daughter froze her feet, developed blood-poison, and suffered for months. * * * heard of your great Remedy and secured 6 jars. She began to get relief almost immediately. She is well.' * * * 'ill with flu; our oldest daughter died before we received and used your Ointment; the other three recovered rapidly, thanks to you and your great Remedy.' * * * 'I was suffering from a lump in my breast. For years it increased in size. I could not raise my arm. Could get no relief. My doctor advised an operation. Your Grimes' Ointment was recommended to me. After using one jar the pain left entirely.' * * *

'I had a tumor on my breast for 36 years: I used a jar of your Ointment; I am healed; the tumor is gone. Your Ointment is wonderful.' * * * 'I had bleeding-piles for 25 years; * * * was advised to use your Grimes E. G. Ointment; improved very soon; am well.' * * * Directions for General Use: For Local Blood Poison, Boils, Ulcers, Erysipelas, Old Sores, * * * etc. * * * For * * * Eczema, Salt Rheum, * * * Bunyons, etc.; * * * In cases of severe burns, * * * etc. * * * In cases where the infection or ulcer is deep, * * * For Piles, * * * For Lumbago, Pleurisy, Rheumatism in Joints, Flu, Bronchitis, Growths, Swellings, etc., open pores, where parts are affected with hot packs; dry, and rub Ointment in well; repeat treatment every four or five hours. * * * healing * * * [Testimonials] 'I had gangrene developed from sugar diabetes. Your Ointment healed my trouble. That was 5 years ago, and I have had no trouble since.' * * * 'I had blood poisoning in my arm which developed into a pronounced case. I sent for two jars of your ointment and soon became quite well. I have used it for * * * lumbago, and I highly recommend it for those troubles.' * * * 'Having a bad case of Blood Poison in my foot, the Drs. insisted on operating. I insisted on them using your great Ointment. I recovered very rapidly, and it left no scar.' * * * 'I suffered for many years with piles. After using your wonder Ointment, 1 jar perfected a remedy. It is years now, with no return of the trouble.' * * * had a boil on my breast. It pained and throbbed, I could not sleep. * * * a friend asked me to try your E. G. Ointment. I had relief in less than an hour. A Friend had some kind of itching skin disease on the palms of her hands. It healed her and she has had no trouble since.' * * * 'I suffered for 6 months with ulcers on my ankles. First application gave relief.' * * * 'Your Grimes E. G. Ointment * * * I have used it in local infection and many other local diseases; * * * 'My trouble was T. B. of the throat and bronchial tubes. Doctor advised when germ had eaten into large vein extending down the back of my throat, a hemorrhage would follow. I coughed my palate out the day before I began to use your Grimes Ointment and my throat has now been well 8 years.' * * * 'My husband suffered from pyorrhea; I used your Ointment * * * which relieved the trouble. Have used it on our small daughter, who had bronchial trouble. It stopped her cough.' * * * your Grimes Ointment; * * * The relief from pain is so quick! * * * the man had suffered so much pain that it required large doses of morphine. I filled the pus cavity with the Grimes paste and at 8 o'clock he went to sleep and slept all night without waking. He continued to improve and was soon well.' * * * subject to local infection quite frequently. * * * it heals local blood poison at once. It also heals many other troubles.' * * * healed the sore quickly.'"

On June 24 and July 29, 1933, no claimant having appeared for the property, judgments were entered finding the product misbranded and ordering that it be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21184. Misbranding of Kap-Oil. U. S. v. 63 Jars of Kap-Oil. Default decree of destruction. (F. & D. no. 30428. Sample no. 35797-A.)

Examination of the drug preparation Kap-Oil disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the carton and jar labels and in a circular shipped with the article. The article was also represented as being an antiseptic inhalant, whereas it was not an antiseptic when inhaled.

On May 9, 1933, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 63 jars of the said Kap-Oil at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about January 10, 1933, by the Kap Oil Co., from Broken Bow, Nebr., 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 petrolatum containing phenolic compounds, menthol, methyl salicylate and a minute proportion of a mydriatic alkaloid, colored with a green dye. Bacteriological examination showed that the product would not be antiseptic when inhaled.

It was alleged in the libel that the article was misbranded in that the following statements in the labeling were false and misleading: (Carton) "Breathe It In Antiseptic Vapor Compound"; (circular) "Containing Anti-