

District Court a libel praying seizure and condemnation of 240 packages of the said Anticol at San Francisco, Calif., alleging that the article had been shipped in interstate commerce, on or about January 25, 1933, by the Apex Laboratories, Inc., from New York, N.Y., and charging misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by this Department showed that it consisted essentially of volatile oils (19 percent) including menthol and lavender oil, and alcohol (approximately 79 percent).

It was alleged in the libel that the article was misbranded in that its package or label failed to bear a declaration of the quantity or proportion of alcohol contained in the article.

On August 9, 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.

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

21205. Misbranding of Merrell's Penetrating Oil. U. S. v. 70 Bottles of Merrell's Penetrating Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30533. Sample no. 33288-A.)

Examination of the drug preparation Merrell's Penetrating Oil 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 June 2, 1933, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 70 bottle of Merrell's Penetrating Oil at Dallas, Tex., alleging that the article had been shipped in interstate commerce, on or about December 3, 1932, by the Dick Dunn Drug Products Co., from St. Louis, Mo., 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 turpentine oil and eucalyptol.

It was alleged in the libel that the article was misbranded in that the following statements on the bottles and cartons, regarding the curative and therapeutic effects of the article, were false and fraudulent: (Bottle) "For Toothache, apply the Oil to the gum around the aching tooth * * * also rub on the outside over the aching jaw. For Earache * * * For Cramps, or any severe gripping pain in the stomach or bowels, take 10 to 15 drops on sugar (children in proportion.) In severe cases repeat in half-hour and apply externally over pain"; (carton) "For * * * Rheumatism, * * * Cramps, Toothache, Lame Back, Stiff Joints, etc."

On September 25, 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.

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

21206. Misbranding of Yob-I-Ana Dulce. U. S. v. 426 Packages and 53 Packages of Yob-I-Ana. Default decree of condemnation and destruction. (F. & D. nos. 29942, 30469. Sample nos. 34089-A, 35379-A.)

Examination of the drug preparation, Yob-I-Ana Dulce, disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the carton labels and in the leaflets and testimonials shipped with the article.

On March 16, 1933, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 426 packages of Yob-I-Ana at Little Rock, Ark. On May 19, 1933, the United States attorney for the Western District of Louisiana, filed a libel against 53 packages of Yob-I-Ana at Shreveport, La. It was alleged in the libels that the article had been shipped in interstate commerce by the Dulce Laboratories from Dallas, Tex., in part on or about February 25, 1933, and in part on or about March 14, 1933, 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 petrolatum, small proportions of volatile oils such as citronella oils and peppermint oil, and a rubifacient such as red pepper extract