

following statements regarding the curative and therapeutic effects of the article, appearing in the labeling, were false and fraudulent: (Tube) "Pyorrhea Paste * * * For the treatment of Pyorrhea and Mouth Diseases"; (carton) "Pyorrhea Paste * * * For the Treatment of Pyorrhea and Mouth Diseases. Patients Directions: Dunlop Pyorrhea Paste is not a mere dentifrice. In Pyorrhea cases or trench-mouth, if the gums are too sore to brush, paste may be applied with the finger, rubbing lightly. Rub with up and down motion, working paste under the gum margin as well as massaging the gums. This paste may be used to great advantage in all cases of infection, applying direct to the wound. Read carefully Home Directions Inclosed. Dentists Directions: Inject paste into pyorrhea pockets * * * Pyorrhea Machine Manufacturing Company * * * Tissue Treatment for Pyorrhea and Mouth Diseases"; (circular) "Pyorrhea Paste * * * serves the purpose of dehydrating toxins * * * as a stimulant, it * * * encourages early resolution of the disease of process." Certain representations in the printed circular shipped with the article which were intended to convince the purchaser of the value of the preparation in the treatment of pyorrhea and other mouth infections were also charged to be false and fraudulent.

On November 13, 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.*

21818. Misbranding of Dr. Jacob Becker's Celebrated Eye-Balsam. U. S. v. 23 Packages of Dr. Jacob Becker's Celebrated Eye-Balsam. Default decree of condemnation and destruction. (F. & D. no. 31212. Sample no. 40211-A.)

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

On October 7, 1933, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 23 packages of the said Dr. Jacob Becker's Celebrated Eye-Balsam at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce, in part on or about September 24, 1931, by W. M. Olliffe, Inc., from New York, N.Y., and in part on or about April 14, 1933, by the Kells Co., Inc., from Newburgh, N.Y., 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 mercury and finely powdered sand incorporated in fat.

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 box and carton and in the circular, were false and fraudulent: (Tin box cover) "Eye Balsam"; (carton) "Eye-Balsam * * * Eye-Balsam Brings Instant Relief * * * Immediate relief for Granulated Eyelids, Klieg Eye, Stys, Pink Eye, Inflamed and Sore Eyes"; (circular) "Eye-Balsam, Brings Immediate Relief for Granulated Eyelids, Klieg Eye, Stys, Sore, Weak, * * * Or Inflamed Eyes Inflammation of the eye arises from many various causes, viz., from certain diseases of the blood, which includes the painful inflammatory swellings called stys, frequently occurring on the margins of the lids, from infections following blows, contusions and wounds on the eye; from the irritation caused by foreign bodies that gain entrance under the eyelids; from exposure to bleak winds and cold, smoke, various acrid fumes, acting as chemical irritants; from the long application of strong light, or fixed attention to minute objects, etc. Directions: * * * In cases of Infants, or in weakness of the Eyes from old age * * * Eye Balsam * * * the afflicted * * * Eye Balsam This famous remedy has been used by countless sufferers of tired, weak and inflamed eyes * * * Brings immediate relief for granulated eyelids, klieg eye, stys and pink eye. [Testimonials] ' * * * since using Dr. Becker's Eye Balsam I have enjoyed the best of comfort with my eyes while before they gave me much trouble in studying my parts for the different plays not to mention the strong stage lighting.' * * * 'I have suffered with my eyes for many years * * * I was ordered to wear eye glasses by the Eye and Ear doctors of New York and they also did not help me. But with only three applications of your Dr.

Jacob Becker's Eye Balsam, which I used since last March, 1927, all my troubles stopped.' * * * 'I have used Dr. Becker's Eye Balsam to my great relief and cure and in the past 3 years I have recommended it to hundreds of my friends, and as yet I have not heard of a failure to give relief and cure some of the worst cases of eye troubles I ever saw.' [Similar statements in foreign languages]."

On December 6, 1933, no claimant having appeared for the property, judgment of condemnation 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.*

21819. Misbranding of Begy's Mustarine. U. S. v. 10 Small Packages of Begy's Mustarine. Default decree of condemnation and destruction. (F. & D. no. 31238. Sample no. 57301-A.)

Examination of the drug preparation Begy's Mustarine disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On October 13, 1933, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel and on November 2, 1933, an amendment to the said libel, praying seizure and condemnation of 10 small packages of "Begy's Mustarine, * * * Prepared by S. C. Wells & Company, Le Roy, N.Y." at Pittsburgh, Pa. It was alleged in the libel as amended that the article had been shipped in interstate commerce, on or about August 2, September 27, and October 5, 1933, by the Mutual Drug Co., from Cleveland, Ohio, 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 an ointment with a petrolatum base, containing volatile oils including camphor, turpentine oil, sassafras oil, cajeput oil, and methyl salicylate, capsicum oleoresin, and a small proportion of ground mustard.

The libel charged that the article was misbranded in that the following statements appearing on the label, regarding the curative and therapeutic effects of the article, were false and fraudulent: (Tin container) "For Aches and Pains, * * * Simple Sore Throat, Chest Colds, Lamé Back, Stiff Joints or Muscles, Coldfeet * * * Save Suffering * * * Part Affected"; (carton) "For the Relief of Pain, Congestion, and Inflammation * * * Relieves Inflammation and Congestion"; (circular) "Stops Pain * * * Sore Throat Chest Colds Sore Throat, Chest Colds never last long when Begy's Mustarine gets on the job. * * * to relieve congestion or inflammation wherever present. * * * Chest Colds and Sore Throat never last long when Mustarine is applied. * * * Rheumatism, Backache, Lumbago Pains If you have Rheumatic Swellings or suffer from Rheumatism, Neuritis, Sciatica or Backache * * *. The Pain is speedily eased, the aches cease in a short time and swellings are reduced—sometimes in a few hours. * * * for aches and pains anywhere * * * For every ache and pain, and to get Influenza before it gets you, * * * It's the quickest Pain Killer on Earth."

On December 6, 1933, no claimant having appeared for the property, judgment of condemnation 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.*

21820. Misbranding of Begy's Mustarine. U. S. v. 26 Small Packages, et al., of Begy's Mustarine. Default decrees of condemnation and destruction. (F. & D. nos. 31239, 31240. Sample nos. 40274-A, 40275-A, 57304-A, 57305-A.)

Examination of the drug preparation Begy's Mustarine disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On October 13, 1933, the United States attorney for the Western District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 146 small packages and 30 medium packages of Begy's Mustarine at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce, by S. C. Wells & Co., from Leroy, N.Y., on or about August 29, 1931, November 1, 1932, and January 7, 1933, and charging 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 an ointment with a petrolatum base containing volatile