

**24090. Misbranding of Inthol. U. S. v. 105 Bottles and 78 Bottles of Inthol. Default decrees of condemnation and destruction. (F. & D. nos. 33535, 33536. Sample nos. 16502-B, 16507-B.)**

This case involved a drug preparation which was misbranded because of unwarranted curative and therapeutic claims in the labeling, and because the package failed to bear a declaration of the quantity or proportion of alcohol contained in the article.

On September 24, 1934, 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 183 bottles of Inthol at Newark, N. J., alleging that the article had been shipped in interstate commerce in various shipments on or about June 18, July 20, and August 28, 1934, by the Inthol Co., Inc., from New York, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of volatile oils including eucalyptus oil, pine-needle oil, lavender oil, and turpentine oil (60 percent), and alcohol (40.5 percent).

The article was alleged to be misbranded in that the package failed to bear on the label a statement of the proportion of alcohol contained therein. Misbranding was alleged for the further reason that the following statements appearing in the labeling were statements regarding the curative or therapeutic effects of the article, and were false and fraudulent: (Bottle) "Stops Pain, Penetrates, Relieves, Stimulates, Heals \* \* \* Until relieved \* \* \* In acute congestions (as pneumonia) use one bottle every hour until relieved"; (retail carton) "For colds, croup, bronchitis, tonsillitis \* \* \* Ear Aches \* \* \* Muscular Rheumatism \* \* \* Stops Pain \* \* \* Penetrates, relieves, stimulates, Heals \* \* \* In Congestions"; (display carton) "Stops Pain \* \* \* Penetrating \* \* \* Colds, Neuralgia \* \* \* Prevents infection"; (circular) "Stops Pain \* \* \* Penetrates-Relieves-Stimulates-Heals \* \* \* Neuralgia, Colds, Croup \* \* \* Muscular Pains \* \* \* Neuralgia, colds \* \* \* assists Nature to build up injured tissue. \* \* \* Inthol by its own action quickly penetrates and stimulates \* \* \* Penetrating quality \* \* \* wonderful, healing power \* \* \* For Neuralgia \* \* \* Muscular Pains, Deep-seated conditions \* \* \* Inthol's healing power \* \* \* and heal the parched tissue \* \* \* For croup, tonsillitis and bronchitis \* \* \* For Colds and Congestion, For head colds \* \* \* in chest colds."

On November 5, 1934, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

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

**24091. Misbranding of Red Circle Pills. U. S. v. 49 Display Cartons of Red Circle Pills. Default decree of condemnation and destruction. (F. & D. no. 33541. Sample no. 16612-B.)**

This case involved a drug preparation, the labeling of which contained unwarranted curative and therapeutic claims.

On September 27, 1934, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 49 display cartons, each containing 12 boxes, of Red Circle Pills at Newburgh, N. Y., alleging that the article had been shipped in interstate commerce on or about October 24 and November 21, 1932, by James F. Stras, from LaCrosse, Wis., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of mercury, laxative plant drugs, calcium carbonate, an iron compound, and a small amount of emetine.

The article was alleged to be misbranded in that the following statements appearing in the labeling, were statements regarding the curative and therapeutic effects of the article, and were false and fraudulent: (Display carton) "Assist the Liver \* \* \* Liver, Kidney and Stomach Remedy."

On October 24, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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