

On April 24, 1935, 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 117 packages of Requa's Charcoal Tablets at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about March 25, 1935, by the S. & S. Drug Co., from New Orleans, La., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Requa Manufacturing Company, New York."

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: (Metal container) "For All Stomach Troubles For Dyspepsia, Indigestion, &c. * * * Their action on the liver keeps it in a healthy active condition. These tablets can be used as a mild physic * * * They relieve Headache * * * Constipation, etc. * * * Also for general Bilious and Gastric affections of the stomach, Indigestion, * * * Rheumatism, etc. Clears the skin"; (circular) "Nature's Remedy For All Stomach Troubles Clears the Complexion * * * For Indigestion * * * Constipation and all stomach troubles Medicine won't cure Dyspepsia But all stomach troubles may be relieved by removing the cause of indigestion. * * * and will neutralize those gases that rise from imperfectly digested food and make life a torment to the dyspeptic. * * * are well known for their rapid action and great value for all stomach troubles. Used as the last resource when all other remedies fail to give relief. Requa's Charcoal Tablets give instant relief for Dyspepsia, Indigestion, Constipation, * * * Liver Trouble, * * * Malaria, Gastritis * * * fermentation, etc. For pimples on the face and clearing the skin there is nothing better, because Charcoal purifies the blood as it will water, and carries all the impurities off through the bowels, therefore making it one of the best Rheumatic Remedies known, Rheumatism being a Blood Disease. * * * a powerful, harmless antiseptic remedy. * * * For All Stomach Troubles * * * [testimonial] 'I have been using your Willow Charcoal Tablets freely during the past several months, chiefly for indigestion, but am convinced that they are also a good remedy for rheumatism, from which I have suffered off and on for many years, but have been comparatively free from it while using the Charcoal Tablets.' [order] 'My wife suffers from indigestion * * * Send me a box * * *'"

On July 31, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25048. Misbranding of Terraline Plain, Terraline Creosote and Dr. Clark Johnson's Syrup. U. S. v. 33 Bottles of Terraline Plain, et al. Default decrees of condemnation and destruction. (F. & D. nos. 35622, 35623, 35624. Sample nos. 16458-B, 16459-B, 16461-B.)

These cases involved drug preparations the labeling of which contained unwarranted curative and therapeutic claims. The labeling of the Terraline was further objectionable, since it created the impression that the article was thoroughly purified liquid petrolatum, whereas it was comparatively impure petroleum oil.

On June 12, 1935, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 33 bottles of Terraline Plain, 28 bottles of Terraline Creosote, and 12 bottles of Dr. Clark Johnson's Syrup at New Iberia, La., alleging that the articles had been shipped in interstate commerce between the dates of July 11, 1934, and February 12, 1935, by the Kells Co., from Newburgh, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended. The articles were labeled in part, respectively: "Terraline Petroleum Purificatum * * * The Hillside Chemical Company, Newburgh, N. Y."; "Terraline Petroleum Purificatum Creosote * * * The Hillside Chemical Co., Newburgh, N. Y."; "Dr. Clark Johnson's Syrup * * * Prepared by the Graefenberg Co., Newburgh, N. Y."

Analyses showed that the Terraline Plain consisted essentially of a partially purified fluorescent petroleum oil containing a considerable proportion of substances carbonizable by sulphuric acid; that the Terraline Creosote consisted essentially of a partially purified fluorescent petroleum oil and creosote; and that Dr. Clark Johnson's Syrup consisted essentially of extracts of plant drugs including an emodin-bearing drug, alcohol, sugar, benzoates, and water.

The articles were alleged to be misbranded in that the following statements appearing in the labeling, regarding their curative and therapeutic effects, were false and fraudulent: (Terraline Plain) "Terraline Plain is prescribed for * * * autointoxication, with excellent results. Terraline Plain is a desirable vehicle for medicaments in the treatment of bronchial and pulmonary affections"; (Terraline Creosote) "Terraline is an excellent base for the treatment of pulmonary disorders with creosote—bronchial catarrh * * * and coughs—a * * * healing influence on the bronchial mucus membrane"; (Dr. Clark Johnson's Syrup) "A valuable Household Medicine for many troubles arising from a disordered condition of the Stomach, Liver and Bowels." Misbranding of the Terraline Plain and Terraline Creosote was alleged for the further reason that the statement on the label, "Petroleum Purificatum", was false and misleading, since it created the impression that the article was a thoroughly purified liquid petrolatum, whereas it was a comparatively impure petroleum oil.

On July 16, 1935, no claimant having appeared, judgments of condemnation were entered and it was ordered that the products be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25049. Misbranding of Lygel. U. S. v. 108 Kits of Lygel, et al. Default decree of condemnation and destruction. (F. & D. no. 35630. Sample nos. 35655-B, 35656-B.)

This case involved a drug preparation which was misbranded because of unwarranted curative and therapeutic claims in the labeling.

On June 25, 1935, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 108 kits of Lygel and 48 packages of Lygel refills at Denver, Colo., consigned by Lehn & Fink, Inc., Bloomfield, N. J., alleging that the article had been shipped in interstate commerce in various shipments between the dates of January 31 and April 2, 1935, from the State of New Jersey into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act as amended.

Examination showed that the Lygel kits each contained one tube of jelly and an applicator. Analysis of the jelly showed that it consisted essentially of water and a gum with small amounts of a chloride, a phenolic compound, and perfume material. The Lygel refills each contained a tube of the jelly.

The article was alleged to be misbranded in that the following statements regarding its curative or therapeutic effects, contained in a circular shipped with the article, were false and fraudulent: "Prescribed by many Specialists for Leucorrhea, Cervicitis, Vaginitis, Cervical Ulceration, etc."

On August 6, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25050. Misbranding of Malvitose. U. S. v. 30 Cans of Malvitose. Default decree of condemnation and destruction. (F. & D. no. 35681. Sample nos. 31550-B, 37936-B.)

This case involved a product which was misbranded because of false and fraudulent curative and therapeutic claims in the labeling, and because of the false and misleading impression created by the labeling that the article contained appreciable amounts of all vitamins and appreciable amounts of alkaline ingredients.

On June 28, 1935, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 30 cans of Malvitose at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about April 2, 1935, by Malvitose Laboratories, Inc., from San Francisco, Calif., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of sugars (at least 63.5 percent), protein (9.4 percent), fat (7.9 percent), and small proportions of inorganic constituents (ash 2.65 percent). Examination showed that it contained no detectable proportions of vitamin C and that a heaping teaspoonful of the product did not contain one-twentieth as much vitamin A as does 8 cubic centimeters (the average adult dose) of cod-liver oil.

The article was alleged to be misbranded in that the following statements on the label were false and misleading: "The Alkaline * * * Drink * * * Malvitose the Alkaline * * * Drink Malvitose is strictly alkaline, obtain-