

represented to contain 40 grains of lactated pepsin and 0.08 grain of strychnine sulphate; whereas it contained no pepsin and not more than 0.10 grain of strychnine sulphate per fluid ounce. Misbranding was alleged with respect to all products, with the exception of the glycerite of pepsin, for the reason that the following statements in the labeling were false and misleading: (Elixir of pepsin, bismuth, and nux vomica) "Each fluid ounce represents: Pure Pepsin, 8 grains; Nux Vomica, 8 grains"; (elixir of lactated pepsin with calisaya and hydrastis) "Each fluid ounce containing: "Lactated Pepsin, 38 grains; Calisaya Bark, 40 grains; and Hydrastis Canadensis 32 grains"; (elixir of calisaya, iron, pepsin, and strychnine) "Each fluid ounce represents: Calisaya Bark, 40 grains; Ferric Pyrophosphate, 16 grains; Pepsin Saccharated, 40 grains"; (elixir of pepsin and bismuth) "Each fluid drachm containing one grain Pure Pepsin"; (elixir of lactated pepsin with bismuth) "Each fluid ounce containing 38 grains Lactated Pepsin"; (elixir of lactated pepsin and calisaya) "Each fluid ounce represents Lactated Pepsin . . . 40 grains Calisaya Bark . . . 40 Grains"; (elixir of lactated pepsin with bismuth and strychnia) "Each fluid ounce containing 40 grains Lactated Pepsin * * * 8-100 grain Strychnine Sulphate."

On September 5, 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.*

25129. Misbranding of Laxated H-L-C. U. S. v. 67 Bottles of Laxated H-L-C. Default decree of destruction. (F. & D. no. 35871. Sample no. 32265-B.)

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

On August 2, 1935, 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 67 bottles of Laxated H-L-C at Joiner, Ark., alleging that the article had been shipped in interstate commerce on or about March 18, 1935, by the Durham Drug Co., from Itta Bena, Miss., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of water, calcium, iron, magnesium sulphate, sodium benzoate, and plant extractives.

The article was alleged to be misbranded in that the following statements appearing in the labeling, regarding its curative and therapeutic effects, were false and fraudulent: " * * * Relieving Constipation * * * Stomach Disorders, Kidney and Bladder Trouble, Gas Pains, Bloating, Dizzy Feeling, Biliousness, Disease of the Kidneys, Chronic Inflammation of Kidneys, Chronic Weakness of the Kidneys, Consumption of the Kidneys A Prescription That Does the Work Help Yourself to Health—Guaranteed."

On October 21, 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.*

25130. Misbranding of Sylvester Brand Haarlem Oil. U. S. v. 32 Bottles of Sylvester Brand Haarlem Oil (and other cases). Default decrees of condemnation and destruction. (F. & D. nos. 35872, 36153, 36458. Sample nos. 42458-B, 42984-B, 49558-B.)

These cases involved a drug preparation the labeling of which contained unwarranted curative and therapeutic claims.

On August 6, 21, and October 5, 1935, the United States attorneys for the District of New Jersey and the Eastern District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the respective district courts libels praying seizure and condemnation of 173 bottles of Sylvester Brand Haarlem Oil at Newark, N. J., and 102 bottles of the product at Philadelphia, Pa., alleging that the article had been shipped or delivered for shipment in interstate commerce on various dates, namely, on or about March 20, July 13, and July 18, 1935, by M. Coward, from Brooklyn, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Sylvester Brand Imported Genuine Haarlem Oil * * * Waaning-Tilly Bros., Haarlem—Holland."

A sample of the product analyzed by this Department was found to consist essentially of a sulphonted fatty oil (total sulphur, 19.6 percent), and turpentine oil (46 percent)).

The article was alleged to be misbranded in that the following statements regarding its curative or therapeutic effects, appearing in the circular shipped with the article, were false and fraudulent: "This Medicine has been used with such good effect that its results were formerly considered little short of miracles. It enters into the system, affecting various parts, and its virtues make themselves felt long after the medicine itself has been expelled by stool or urine. This Remedy has been recommended as being most excellent in stimulating the stomach and the digestive organs, and in so doing to help to purify the blood. * * * It is often used for scurvy, accompanied by proper regulation of the diet, and for worms. In these, and similar diseases, one should take twenty to twenty-five drops daily * * * Where there is an inclination of the eyelids causing, during the night, the accumulation of pus and humors on the lids, a little of this Remedy should be applied by wetting the tip of the finger (better a flock of cotton) with it and by holding this a few moments in the corner of the eye. In the same way it may be used on ulcers, sores, boils, abscesses, etc., * * * a desirable application to fresh sores and in certain affections in the gums by applying it to the affected part. All disorders of long standing, we cannot doubt, require a long and continued treatment before any benefit either from this or from any other remedy may be looked for, and when such disorders have been cured after such a long time the cure has been esteemed as almost a miracle."

On October 5, and November 8, 1935, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

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

25131. Misbranding of Joyz Maté. U. S. v. 384 Cartons and 98 Tins of Joyz Maté. Default decrees of condemnation and destruction. (F. & D. nos. 35874, 35875. Sample nos. 15564-B, 16177-B, 16204-B.)

These cases involved a product the labeling of which contained unwarranted curative and therapeutic claims.

On August 7, 1935, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 384 cartons, each containing 6 tins, and 98 tins of Joyz Maté at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about March 28, 1934, by the International Maté 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 of leaves of yerba maté.

The article was alleged to be misbranded in that the following statements borne on the packages, and similar statements contained in circulars shipped with the packages, were statements regarding the curative and therapeutic effects and were false and fraudulent: "The Vitalizing Drink * * * Joyz maté invigorates and combats fatigue. It is stimulating without harmful reactions. Joyz maté does not injure the nervous system. It may be taken freely at all meals and between meals. Many use it as a pick-me-up when suffering from fatigue. * * * The mystic plant, drawing life from the fertile soil and ideal climatic conditions, is gathered and cured by a protective process which produces this energizing drink. * * * Joyz Maté is unsurpassed as a standby for business men and women, people of action, mental workers and athletes. * * * Be sure to read of the remarkably invigorating qualities * * * For added mental or physical stimulation, add more Joyz leaves to make a stronger beverage. * * * Joyz Maté iced is an invigorating * * * summer drink."

On November 16, 1935, no claim having been entered, judgments of condemnation were entered and it was ordered that the product be destroyed.

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

25132. Misbranding of Armstrong's Sore Throat and Quinsy Drops. U. S. v. 666 Bottles of Armstrong's Sore Throat and Quinsy Drops. Default decree of condemnation and destruction. (F. & D. no. 35876. Sample no. 28636-B.)

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

On August 6, 1935, 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 666 bottles of Armstrong's Sore Throat and Quinsy Drops at Pittsburgh, Pa., alleging that