

On or about June 12, 1931, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 357 sacks of Doz-It at Greenleaf, Mich., alleging that the article had been shipped by the Farmers Medicated Stock Salt Co., from Mifflinburg, Pa., on or about December 17, 1929, and had been transported from the State of Pennsylvania into the State of Michigan, 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 sodium chloride (94.5 per cent), charcoal, small proportions of compounds of calcium, magnesium, and iron, protein (0.05 per cent), and fat (0.12 per cent).

It was alleged in the libel that the article was misbranded in that the statements, "This is composed of Charcoal (Car Bo Ligin), Salt, Epsom Salts (Sulphate of Magnesia), Copperas (Sulphate of Iron)," on the bag label, were false and misleading in view of the insignificant portion of ingredients other than charcoal and salt. Misbranding was alleged for the further reason that the statement on the label, "Protein 0.56 Fat 0.19," was false and misleading. Misbranding was alleged for the further reason that the following statements appearing in a circular within the bag containing the article, regarding the curative or therapeutic effects of the said article, were false and fraudulent: "Purifies the blood and tones up the system. It will expel worms from Hogs, Horses, etc. Prevents abortion, and there will be no Bloating Where It Is Fed. \* \* \* Hog Cholera:—Nothing will cure cholera, but where Doz-It is used there will be no Cholera."

On July 8, 1931, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19355. Adulteration and misbranding of Nestor emulsion of pure cod-liver oil. U. S. v. Nestor Drug & Chemical Co. Plea of guilty. Fine, \$200. (F. & D. No. 26586. I. S. No. 8158.)**

Examination of a drug product, labeled "Nestor Emulsion of Pure Cod Liver Oil With Eggs and Hypophosphites of Lime and Soda," showed that the article contained less cod-liver oil and alcohol than labeled. The labeling contained unwarranted curative and therapeutic claims for the article.

On October 10, 1931, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the Nestor Drug & Chemical Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the food and drugs act as amended, on or about October 9, 1930, from the State of Illinois into the State of Tennessee, of a quantity of the said Nestor emulsion of pure cod-liver oil that was adulterated and misbranded.

Analysis of a sample of the article by this department showed that it consisted essentially of cod-liver oil (39.94 per cent), small proportions of calcium and sodium compounds, hypophosphites, egg yolk, alcohol (8.4 per cent), and water, flavored with methyl salicylate.

It was alleged in the information that the article was adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, in that it was represented to contain 50 per cent of cod-liver oil and 12½ per cent of alcohol, whereas it contained not more than 39.94 per cent of cod-liver oil and not more than 8.4 per cent of alcohol.

Misbranding was alleged for the reason that the statements, "Cod Liver Oil 50%" and "12½% Alcohol," borne on the bottle label, were false and misleading in that the said statements represented that the article contained 50 per cent of cod-liver oil and 12½ per cent of alcohol, whereas it contained less cod-liver oil and alcohol than so declared. Misbranding was alleged for the further reason that the article contained alcohol and the label failed to bear a statement of the quantity and proportion of alcohol contained therein, since the statement made on the bottle label was not correct. Misbranding was alleged for the further reason that certain statements, designs, and devices regarding the therapeutical and curative effects of the article, amending on the bottle labels, falsely and fraudulently represented that the article was, in whole or in part, composed of or contained ingredients or medicinal agents effective as a reliable preparation for many forms of pulmonary diseases and

other lung troubles, and effective as a remedy for coughs and general debility, whereas it contained no ingredient or medicinal agents effective as a reliable preparation for many forms of pulmonary diseases or effective as a remedy for other lung troubles, coughs, or general debility.

On December 16, 1931, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19356. Misbranding of Flucine. U. S. v. Eight 200-c.c. Bottles and Seven Pint Bottles of Flucine. Default decree of condemnation and destruction. (F. & D. No. 26490. I. S. No. 30246. S. No. 4788.)**

Examination of a drug product, known as Flucine, from the shipment herein described having shown that the labeling bore statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Connecticut.

On or about June 18, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of eight 200-c c and seven pint bottles of Flucine, remaining in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped by D. R. Sawyer Co. (Inc.), from New York, N. Y., on or about February 12, 1931, and had been transported from the State of New York into the State of Connecticut, 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 water colored with a coal-tar dye.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the bottle label, regarding the curative or therapeutic effects of the article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "Flucine for Treatment of Acute Bronchitis (Flu) in Poultry. Important. Flucine is for treatment of Flu. \* \* \* Directions:—Inject 1 c.c. of Flucine on thigh of bird once a day until relief is effected."

On September 22, 1931, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19357. Misbranding of Pabst's O. K. specific. U. S. v. Fridolin Pabst (Pabst Chemical Co.). Plea of guilty. Fine, \$500. (F. & D. No. 26558. I. S. Nos. 7305, 7310, 7311, 7520, 7522, 25942.)**

Investigation of the drug product Pabst's Okay specific involved in this action disclosed that the article would not be effective as a treatment and cure for certain diseases and ailments for which it was recommended by means of statements appearing on the bottle labels, wrappers, and in the circulars shipped with the said article.

On October 10, 1931, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against Fridolin Pabst, trading as the Pabst Chemical Co., Chicago, Ill., alleging shipment by said defendant, in violation of the food and drugs act, as amended, of quantities of Pabst's O. K. specific that was misbranded. It was alleged in the information that the shipments had been made in interstate commerce as follows: From the State of Illinois into the State of Michigan, on or about July 11, July 23, and July 24, 1930; from the State of Illinois into the State of Wisconsin, on or about April 24, 1930; and from the State of Illinois into the State of Indiana, on or about March 20, 1931.

Analysis of a sample of the article by this department showed that it consisted essentially of cubeb oil, copaiba oleoresin, buchu extract, sugar, alcohol, and water.

Misbranding of a portion of the product was charged in the information for the reason that certain statements regarding the therapeutic and curative effects of the article, appearing on the bottle labels and wrappers, and in the circulars accompanying the said article, falsely and fraudulently represented that it would be effective in the treatment of and as a cure for gonorrhoea and gleet, to be followed by treatment with Okay tonic; whereas the article would not be effective in the treatment of or as a cure for gon-