

the labels, and the quinine sulphate tablets contained less quinine sulphate than so declared.

On January 27, 1932, a plea of not guilty to the information having been entered on behalf of the defendant company, the facts were submitted to the court who made a finding of guilty and imposed a fine of \$200 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture*.

19381. Adulteration and misbranding of peroxide of hydrogen and misbranding of laxative cold tablets. U. S. v. Royal Manufacturing Co. of Duquesne. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 26637. I. S. Nos. 16238, 28745.)

Samples of peroxide of hydrogen involved in this action were found to fall below the requirements of the United States Pharmacopoeia since it contained less hydrogen peroxide and more preservative, in the form of acetanilid, than so provided. The labeling of the article failed to declare the amount of acetanilid contained therein. The bottle label of the peroxide of hydrogen, and the box label of the laxative cold tablets also covered by this action, contained unwarranted therapeutic and curative claims for the said articles.

On September 16, 1931, the United States attorney for the Western District of Pennsylvania, 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 Royal Manufacturing Co. of Duquesne, a corporation, trading at Duquesne, Pa., alleging shipment by said company, in violation of the food and drugs act as amended, on or about March 20, 1931, from the State of Pennsylvania into the District of Columbia, of a quantity of peroxide of hydrogen that was adulterated and misbranded, and on or about March 18, 1931, from the State of Pennsylvania into the State of Virginia, of a quantity of laxative cold tablets that were misbranded.

Analysis of a sample of the laxative cold tablets by this department showed that they consisted essentially of acetanilid, quinine sulphate, iron oxide, tolu, capsicum oleoresin, aloin, and podophyllum resin.

Adulteration of the said peroxide of hydrogen was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the test laid down in said pharmacopoeia official at the time of investigation, in that it contained 1.6 per cent of hydrogen peroxide, equivalent to approximately 5.3 volumes of oxygen, and it contained as a preservative 0.28 gram of acetanilid in each 100 cubic centimeters, equivalent to 1.28 grains per fluid ounce of the article, whereas the pharmacopoeia provides that solution of hydrogen dioxide, i. e., solution of hydrogen peroxide, shall contain not less than 3 per cent by weight of hydrogen peroxide, and that any preservative present shall not exceed 0.04 gram per 100 cubic centimeters; and the standard of strength, quality, and purity of the article was not declared on the container. Adulteration was alleged for the further reason that the strength and purity of the article fell below the professed standard and quality under which it was sold, in that it was represented to be peroxide of hydrogen 10 volume 3 per cent H_2O_2 , a superior product of unexcelled purity and strength, whereas it was not.

Misbranding of the said peroxide of hydrogen was alleged for the reason that the statements, "Peroxide of Hydrogen * * * 10 Volume 3 per cent H_2O_2 . A superior product of unexcelled purity, strength," borne on the bottle label, were false and misleading in that they represented that the article was peroxide of hydrogen 10 volume, 3 per cent H_2O_2 , a superior article of unexcelled purity and strength, whereas it was not; misbranding was alleged for the further reason that the article contained acetanilid and the label failed to bear a statement of the quantity and proportion of acetanilid contained therein. Misbranding of the said peroxide of hydrogen was alleged for the further reason that certain statements, designs, and devices regarding the therapeutic and curative effects of the said article, appearing on the bottle label, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for catarrh of the nose and for hay fever, whereas it contained no ingredient or medicinal agents effective as a treatment, remedy, or cure for catarrh of the nose or for hay fever. Misbranding of the laxative cold tablets was alleged for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects of the article, appearing on the box label, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for coughs, influenza, headaches, fever, and la

grippe, whereas it contained no ingredients or medicinal agents effective as a treatment, remedy, or cure for coughs, influenza, headaches, fever, or la grippe.

On January 7, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19382. Misbranding of Dead Shot. U. S. v. 12 Dozen Jars of Dead Shot. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26938. I. S. No. 36902. S. No. 5140.)

Examination of a drug product, known as Dead Shot, from the shipment herein described having shown that the jar and carton labels and a circular accompanying the article contained statements representing that the article possessed curative and therapeutic properties which, in fact, it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Texas.

On September 4, 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 12 dozen jars of Dead Shot at Beaumont, Tex., alleging that the article had been shipped by the Dead Shot Co., Marion, Ark., on or about July 25, 1931, and had been transported from the State of Arkansas into the State of Texas, 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 sulphur (7.4 per cent), volatile oils (28 per cent) including turpentine oil, methyl salicylate, and camphor, phenol (0.5 per cent), ammoniated mercury (6.3 per cent), arsenic trioxide (0.014 per cent), petrolatum, and wax.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Jar) "Dead Shot. For all Skin Diseases, Such as Eczema, Tetters, Ring Worm, Rice Poison, Pimples, Dandruff, Blackheads and Old Sores, Erysipelas;" (carton) "Dead Shot For all Skin Diseases Such as Eczema, Tetters, Erysipelas, Ring Worm, Rice Poison, Pimples, Blackheads, Old Sores;" (circular) "For All Skin Diseases * * * For Skin Diseases, Particularly Recommended for Eczema, Tetters, Ring Worm, * * * Rice Poison, Pimples, Black Heads, Old Sores, Erysipelas, * * * For diseases above enumerated as well as for * * * Dandruff * * * Follow directions closely. In rare cases of Eczema, Erysipelas and * * * the treatment may require more than one jar. For Eczema and Dandruff. * * * Apply Dead Shot once each day until symptoms disappear. In case of Eczema continue treatment for one week after symptoms disappear. * * * Dead Shot is good for Skin Diseases and skin Eruptions on animals, also for Chicken Warts. * * * Following are testimonials in regard to the curative virtues of Dead Shot: ' * * * My wife had a bad case of Eczema on her scalp, arms and chest. I was advised by three (3) well known physicians to take her to a hospital and have her hair clipped off, but as a last resort, and before taking her and having her hair cut off, a friend advised me to try Dead Shot, so I did, and, am thankful to say that only one jar of this wonderful remedy completely cured her.' * * * 'I can safely recommend it for all skin diseases.' * * * 'I have never seen any medicine that equals it for skin diseases * * * I can cheerfully recommend it to any one suffering from skin diseases.' * * * 'I have now used your Dead Shot on the body of my son. He has had the Eczema for the last six years. I have had three of the best doctors in Dallas attending him, but could do no good until I used your Dead Shot. Two Bottles cured, I may say permanently.' * * * 'This is to certify that I was cured of Tetters entirely by using Drinkard's Dead Shot.' * * * 'In the year 1889, about August I think, I brought one box of Dead Shot for Tetters. It acted as a perfect cure and have never noticed any symptoms since using.' * * * 'After using about one-third of a bottle of your Dead Shot the Tetters entirely disappeared and I have not been bothered with it since.' * * * have used his remedy, Dead Shot, for Eczema, and find it one of the best, if not the best, remedy for that disease I have ever used and can cheerfully recommend it to anyone suffering with Eczema.' * * * and after using two jars of it I have been completely cured of Eczema, which I have had for seven years.