

1 gr.," borne on the label of the bottle containing the decaphen capsules, "Benzoic Acid 2 grs.," borne on the label of the bottle containing the acid benzoic compound tablets, "Ammonium Salicylate ½ gr.," borne on the label of the bottle containing the ammonium salicylate compound tablets, and "Cincophen 7½ grs.," borne on the label of the bottle containing the cinchophen tablets, were false and misleading, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser, since the articles did not contain the said drugs in the amounts declared on the label. Misbranding was alleged with respect to the magnesium sulphate compound capsules for the further reason that a certain statement appearing on the bottle label falsely and fraudulently represented that it was effective as a treatment for high blood pressure, whereas it was not; and with respect to the silver nitrate compound capsules for the reason that a certain statement appearing on the bottle label falsely and fraudulently represented that it was effective as a treatment for gastritis, whereas it was not, the products containing no ingredients or medicinal agents effective to produce the said curative and therapeutic effects. Misbranding was alleged with respect to the ammonium salicylate compound tablets for the reason that the article contained acetphenetidin, a derivative of acetanilid, and the fact that acetphenetidin is a derivative of acetanilid was not stated on the label.

On June 13, 1932, a plea of guilty to each information was entered on behalf of the defendant company, and the court imposed a fine of \$150 in each case, a total of \$300.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19662. Misbranding of Germaline tablets. U. S. v. 129 Packages of Germaline Tablets. Default decree of condemnation and forfeiture. (F. & D. No. 28290. I. S. No. 47523. S. No. 6163.)

Examination of the drug product, Germaline tablets involved in this action, disclosed no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed for it on the carton label.

On May 10, 1932, the United States attorney for the District of Nebraska, 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 129 packages of the said Germaline tablets, remaining in the original unbroken packages at Omaha, Nebr., alleging that the article had been shipped in interstate commerce, on or about January 28, 1932, by the Shores-Mueller Co., from Cedar Rapids, Iowa, to Omaha, Nebr., 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 sulphate, potassium permanganate, and sodium chloride.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects, appearing on the carton, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: "Germaline * * * For the Treatment of Poultry Ailments Such As Cholera, Roup, Canker, Bowel Complaint, Swelled Head * * * Sore Mouth, * * * Useful in the Treatment of Affections of the Mucus Membrane. Bowel Complaint; Use Germaline in the drinking water, a tablet to a quart of water. * * * Roup is caused by a severe cold in the head and is accompanied with an accumulation of mucus in the nostrils. * * * Sore Throat: Use Germaline in the drinking water and in severe cases swab the throat with a feather wet in the remedy. Cholera: Is an internal disease accompanied with bowel trouble. Treat as for bowel complaint. Scaly Legs, Pox, * * * Treat with one or two tablets to one-half pint of water. A Valuable Remedy for rusty nail wounds, * * * sore mouths."

On June 23, 1932, 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.*

19663. Adulteration and misbranding of ether. U. S. v. Sixteen 5-Pound Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27946. I. S. Nos. 23079, 23082. S. No. 5997.)

Samples of ether taken from the shipment involved in this action having been found to contain peroxide, a decomposition product, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Washington.

On March 24, 1932, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of sixteen 5-pound cans of ether, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped in interstate commerce, on or about November 28, 1931, by H. S. Benedict Co. (Inc.), from New York, N. Y., to Seattle, Wash., and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Ether U. S. P."

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by tests laid down in the said pharmacopoeia, and its own standard was not stated on the label.

Misbranding was alleged for the reason that the statement on the label, "Ether U. S. P.," was false and misleading.

On June 30, 1932, 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.*

19664. Misbranding of Lekotoria. U. S. v. 23 Bottles of Lekotoria. Default decree of condemnation, forfeiture, and destruction. (8629-A. F. & D. No. 28299.)

Examination of the drug product Lekotoria involved in this action showed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed for it on the bottle labels.

On May 10, 1932, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel, and on May 24, 1932, an amended libel, praying seizure and condemnation of 23 bottles of Lekotoria, remaining in the original unbroken packages at Lackawanna, N. Y. It was alleged in the libel as amended that the article had been shipped in interstate commerce, on or about March 15, 1932, by the Karnack-Ambrosia Co., from Scranton, Pa., to Lackawanna, N. Y., and that it was misbranded 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 extracts of plant drugs including aloe, sugar, alcohol, and water.

Misbranding of the article was alleged in the libel as amended for the reason that the following statements appearing in the labeling, were false and fraudulent: (Bottle label, large) "Healing * * * Invaluable aid in treating the following ailments: Stomach trouble, catarrh of the stomach, kidney and liver trouble, piles, weak nerves, * * * rheumatic and gouty pains, lungs, inflammation and other ailments caused by improper digestion, * * * and weak and impure blood;" (bottle label, small) "Healing."

On June 17, 1932, 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.*

19665. Misbranding of Septigyn. U. S. v. Herbert A. Stolte and Robert W. Nichols (The N & S Co.). Pleas of guilty. Fines, \$200. (F. & D. No. 27437. I. S. No. 14245.)

This action was based on the interstate shipment of a quantity of a drug product known as Septigyn. Examination of the article disclosed no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed for it on the carton label and in a booklet shipped with the article.

On January 13, 1932, the United States attorney for the Northern District of Texas, 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 Herbert A. Stolte and Robert W. Nichols, copartners, trading as the N & S Co., Dallas, Tex., alleging shipment by said defendants in violation of the food and drugs act as amended, on or about November 29, 1930, from the State of Texas into the State of Kansas, of a quantity of Septigyn that was misbranded.

Analysis of a sample of the article by this department showed that it consisted essentially of zinc phenolsulphonate, sodium phenolsulphonate, copper phenolsulphonate, sodium sulphate, talc, and milk sugar.