

extract of ginger that was adulterated and misbranded. The product in the barrel was labeled, "From Baird & Liebel Dist. Co., * * * Cincinnati, Ohio, Liquid Medicine in bulk * * * To Hub Products Co., Boston, Mass." The bottled product was labeled in part: "Fluid Extract of Ginger U.S.P. * * * B. & L. Distributing Co., Cincinnati, O." A portion was further labeled, "Alcohol 80 to 85% by volume."

Adulteration of the bottled product was alleged in the information for the reason 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 the test laid down in the said pharmacopoeia official at the time of investigation, since it did not yield from 1,000 grams the amount of soluble material yielded by 1,000 grams of powdered ginger, as prescribed by the said pharmacopoeia, and one lot contained more than 83 percent of alcohol, the maximum prescribed by the pharmacopoeia, and one lot contained less than 78 percent, the minimum so prescribed; and the standard of strength, quality, and purity of the article was not declared on the label.

Misbranding of the bottled product was alleged for the reason that the statement, "Fluid Extract of Ginger U.S.P.", on the labels of all lots, and the statement, "Alcohol 80 to 85% by volume" on the label of one of the lots, were false and misleading, since the article did not conform to the standard laid down in the pharmacopoeia, and the said lot contained less than 80 percent by volume of alcohol. Misbranding of the product labeled "Liquid Medicine" and the lot of the bottled fluidextract of ginger which contained less alcohol than declared, was alleged for the reason that the article contained alcohol, and the label failed to bear a statement of the quantity or proportion of alcohol contained therein.

On January 12, 1933, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20564. Misbranding of Dr. Salsbury's Worm Caps. U.S. v. 1,800 and 2,600 Dr. Salsbury's Worm Caps. Default decrees of condemnation and destruction. (F. & D. nos. 28880, 28928. Sample nos. 2926-A, 3011-A.)

Examination of the drug preparation Dr. Salsbury's Worm Caps showed that the article contained no ingredient or combination of ingredients capable of producing curative and therapeutic effects claimed in the labeling.

On September 22, 1932, the United States attorney for the District of South Dakota, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 4,400 Dr. Salsbury's Worm Caps, in part at Viborg, S.Dak., and in part at Huron, S.Dak., alleging that the article had been shipped in interstate commerce on or about June 23 and August 29, 1932, by Dr. Salsbury's Laboratories, from Charles City, Iowa, and had been transported from the State of Iowa into the State of South Dakota, 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 of tablets containing resinous plant material, such as kamala, nicotine sulphate, nux vomica, small proportions of copper sulphate, sodium phenolsulphonate, calcium phenolsulphonate, and zinc phenolsulphonate, and acid-insoluble mineral matter, such as clay.

It was alleged in the libels that the article was misbranded in that the following statements appearing in the labeling falsely and fraudulently represented that it contained ingredients or medicinal agents effective in the diseases and conditions named therein: (Package) "Worm Caps * * * will expel or is destructive against tape worms * * * and to a certain extent pin worms"; (circular) "Worm Caps * * * Individual treatment for tape, round and pin worms in chickens, turkeys, ducks, and other fowls. * * * After Worming Your Flock with Dr. Salsbury's Worm Caps It costs only a little to prevent the birds from getting worms again."

On February 16, 1933, no claimant having appeared for the property, judgments of condemnation were entered and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*