

ment appearing on the label did not carry the information that phenacetin is a derivative of acetanilid. Misbranding was alleged for the further reason that the following statements appearing in the labeling, regarding the curative and therapeutic effects of the article, were false and fraudulent: (25-cent carton and tin container) "Recommended for the relief of * * * Grippe"; (circular) "Recommended for the relief of * * * Grippe. * * * For * * * Grippe"; (10-cent carton and tin container) "Recommended for the relief of * * * Grippe."

On March 20, 1933, 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.

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

20599. Misbranding of Q. W. sulphur compound solution U.S. v. Henry Vibert (Q-W Laboratories). Plea of guilty. Fine, \$50. (F. & D. no. 28076. Dom. no. 34037.)

Examination of the Q. W. sulphur compound solution on which this action was based disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On April 7, 1933, the United States attorney for the District of New Jersey, 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 Henry Vibert, trading as the Q-W Laboratories, Bound Brook, N.J., alleging shipment by said defendant in violation of the Food and Drugs Act, as amended, on or about January 12, 1931, from the State of New Jersey into the State of New York, of a quantity of Q. W. sulphur compound solution that was misbranded.

Analysis of a sample of the article by this Department showed that it consisted essentially of sodium polysulphide, sodium thiosulphate, and water.

It was alleged in the information that the article was misbranded in that certain statements, designs, and devices regarding its therapeutic and curative effects, appearing on the labels of the bottles containing the article, falsely and fraudulently represented that it was effective as an aid in the treatment of fester sores, raw spots, ringworms, and similar surface skin irritations and wounds; effective as an aid in the treatment of certain forms of eczema due to impure blood and similar disorders in dogs, and to help purify blood and sweeten stomachs of dogs; effective as an aid in the treatment of certain forms of ulcers, fester sores, mouth cankers, sore gums, eruptions, sore feet in humans and other animals; and effective as an aid in the treatment of sores, tears, bites, and scratches of dogs.

The interstate shipment of the product also involved a violation of the Insecticide Act of 1910 (I. & F. no. 1574, N. J. no. 1270), both violations being covered by one information. On May 3, 1933, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 as penalty for violation of both acts.

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

20600. Misbranding of C. L. Sheppard's Magic liniment. U.S. v. Clark Locy Sheppard (C. L. Sheppard Sanatorium & Remedy Co.). Plea of nolo contendere. Fine, \$50 and costs. (F. & D. no. 29359. I.S. no. 52246.)

Examination of the drug preparation, C. L. Sheppard's Magic liniment, disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the bottle and carton labels and in a circular shipped with it.

On January 23, 1933, the United States attorney for the Northern District of Ohio, 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 Clark Locy Sheppard, trading as C. L. Sheppard Sanatorium & Remedy Co., Findlay, Ohio, alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about November 27, 1931, from the State of Ohio into the State of Indiana, of a quantity of the said C. L. Sheppard's Magic liniment that was misbranded.

Analysis of a sample of the article by this Department showed that it consisted essentially of a light petroleum oil containing a small proportion of turpentine oil.

It was alleged in the information that the article was misbranded in that certain statements, designs, and devices, regarding the curative and therapeutic effects of the article, appearing on the labels of the bottles and cartons, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for rheumatic pains, toothache, stiff joints, swellings, croup, asthma (quinsy), diphtheria, erysipelas, colic, cramp, sore throat and bronchitis, croup, paralysis, tumors, boils, carbuncles, ulcers, gathered or broken breast, old sores of all kinds, catarrh, sore feet, chilblains, la grippe, rheumatism, corns, bunions, hard corns, hard bunions; effective as a treatment for ailments of the throat and internal organs; effective to free the system from disease; and effective as being beneficial in cleansing cancers of long standing and relieving the pain thereof. Misbranding was alleged for the further reason that certain statements, designs, and devices regarding the curative and therapeutic effects of the article, appearing in an accompanying circular, falsely and fraudulently represented that it was effective as a magic healer; effective as a treatment, remedy, and cure for cough, breaking out over the breast, itching of the breast, swellings of the neck, sore throat, enlarged gland on right breast and injury to sciatic nerve; effective to prevent infection of burns, cuts, abrasions, contusions, insect bites, and lacerations; effective to quickly overcome infection in old sores, abscesses, boils, tonsillitis, quinsy, and erysipelas; effective as a relief for lumbago and the stiffness of joints in old cases of articular rheumatism; and effective to have special action in certain types of goiter, to reduce the enlargement of the thyroid gland and to relieve the symptoms of nervousness, rapid pulse rate, and tremor of the hands. Misbranding was alleged for the further reason that the statement, "Guaranteed * * * under Pure Food and Drug Act, June 30, 1906", borne on the bottle label, was false and misleading, since the said statement represented that the article was guaranteed to conform to the requirements of the Food and Drugs Act of June 30, 1906, whereas it did not.

On January 30, 1933, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$50 and costs.

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