

septic, Oxygen bearing Oils." Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent: (Carton) "A soothing external application for relief of pain and soreness and certain forms of Congestion and Inflammation that may respond to external Medication. Used for Pneumonia, Coughs * * * Hay Fever, Influenza, Croup, Sore Throat and Pleurisy"; (jar label) "'First thought to the injured' * * * as a massage for Swollen and stiff Joints. * * * Influenza, Pneumonia, Coughs * * * Sore Throat, Croup, Earache"; (circular) "For Coughs * * * Croup, Sore Throat, Pneumonia, Pleurisy. * * * Pneumonia—Apply Kap-Oil thickly to the chest, throat and on the back, between the shoulders, and cover with warm or hot flannels. Change the application as often as needed. Take portion of Kap-Oil size of hazelnut, let dissolve in mouth and swallow slowly. This should be done twice a day. * * * same treatment as for Pneumonia. Sore Throat—Apply freely, take a little Kap-Oil as directed, and inhale. Croup—Apply freely to chest, throat and on back between shoulders and cover with warm or hot flannels. * * * Pleurisy—Apply Kap-Oil freely over affected parts and cover with hot cloths. Asthma—Inhale and take internally as directed, also rub a little Kap-Oil in the hollow spot, just below the Adams' Apple. Hay Fever—Inhale and take internally as directed. Tooth-Ache * * * Earache * * * relieves the trouble. * * * a decisive advantage of Kap-Oil is noticeable, especially in severe cases, the surface presents a clean appearance, free from pus formation and undesirable accumulations. * * * To prevent and alleviate pain and suffering of mortal man. * * * for * * * Sore Joints, Boils, Carbuncles."

On June 14, 1933, no claimant having appeared for the property, judgment was entered finding the product misbranded and ordering that it be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21185. Misbranding of C. C. Special. U. S. v. 10 Bottles of C. C. Special. Default decree of destruction. (F. & D. no. 30383. Sample no. 35843-A.)

Examination of the drug preparation C.C. Special disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the label; also that the alcohol present in the article was not declared.

On or about May 9, 1933, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10 bottles of C.C. Special at Garden City, Mo., alleging that the article had been shipped in interstate commerce, on or about January 28, 1933, by the Supto Manufacturing Co., from Des Moines, Iowa, 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 small proportions of magnesium sulphate, extracts of plant drugs including catechu, a lactate, and sodium benzoate, alcohol (1.7 percent by volume), and water approximately (97 percent), colored with a red dye.

It was alleged in the libel that the article was misbranded in that the package failed to bear a statement on the label of the quantity or proportion of alcohol contained in the article. Misbranding was alleged for the further reason that the following statements regarding its curative or therapeutic effects, appearing on the label, were false and fraudulent: "As a worm preventive * * * Infested Birds For Infested birds."

On June 16, 1933, no claimant having appeared for the property, judgment was entered finding the product misbranded and ordering that it be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21186. Misbranding of Joy's Castoria. U. S. v. 597 Bottles of Joy's Castoria. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30424. Sample no. 35481-A.)

Examination of the drug preparation Joy's Castoria disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the carton containing the article.