

On October 28, 1933, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 104 jars of Sargeant's Acnoid No. 1 and 32 jars of Sargeant's Acnoid Special No. 2 at New York, N.Y., alleging that the articles had been shipped in interstate commerce on or about September 1 and September 7, 1933, by the Sargeant Acnoid Pharmaceutical Co., Inc., from East Orange, N.J., and charging misbranding in violation of the Food and Drugs Act as amended.

Analyses of samples of the articles by this Department showed that the Acnoid No. 1 consisted essentially of salicylic acid and small proportions of salol and camphor, incorporated in a fatty acid and petrolatum base; and that the Acnoid Special No. 2 consisted essentially of salicylic acid, zinc stearate, and small proportions of salol and camphor, incorporated in a fatty acid and petrolatum base.

It was alleged in the libel that the articles were misbranded in that the following statements regarding the curative or therapeutic effects of the articles appearing in the label were false and fraudulent: (Carton, Acnoid No. 1 (carton of Acnoid No. 2 Special substantially the same)) "If parts were badly thickened, repeat the application once every three weeks until the skin is normal. \* \* \* An effective remedy for \* \* \* Indurated Skin, and for the treatment of various Skin Diseases, of a germinal, microbic or a parasitic origin; as Acne, Pimples, Boils, \* \* \* Blind Boils, \* \* \* Lupus, Etc. \* \* \* Directions For Skin Diseases Apply very thinly all over the skin where unhealthy conditions exist, once a week until skin is normal; "(jar label, both products) "Directions For Pimples Apply thinly but evenly over the skin where unhealthy conditions exist, once a week as required"; (circular, both products) "For the treatment of various skin diseases of a germinal, microbic or parasitic origin. \* \* \* just spread on, \* \* \* thinly in the case of skin diseases. \* \* \* When an application of Acnoid has been on the skin for 6 to 8 hours, \* \* \* in the case of skin diseases wash the parts with soap and water. \* \* \* In The Case Of Soft Corns \* \* \* Special Directions For Skin Diseases. \* \* \* Shoulder boils and pimples and boils on the face or on the back of the neck quickly come to a head and pass away after one light application of Acnoid. The germs in the pustules are killed and therefore cannot re-enter the pore of the skin and produce more boils, pustules or pimples as they are sure to do unless so treated. By a little judicious treatment the flesh can be entirely rid of these unsightly diseases. \* \* \* Acnoid is a specific when used for such germinal skin diseases as Acne (from which it derives its name) Pimples, Boils, \* \* \* Blind Boils, \* \* \* Lupus, etc."; (circular, Acnoid Special No. 2) "Acnoid Special No. 2 specially prepared for acne and skin diseases. \* \* \* Used For Acne And Germinal Skin Diseases. \* \* \* It is a modification of No. 1, giving more satisfactory results in skin diseases. \* \* \* Acnoid stimulates the healthy action of the skin \* \* \* it causes the skin to throw off any unhealthy part whatever it be, scales, pus, germs \* \* \* . It should be thinly applied to the skin, where unhealthy conditions exist, one to three times a week in such skin diseases as Acne, Pimples, Boils, \* \* \* Blind Boils, \* \* \* Lupus, etc."

On November 23, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

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

**21823. Misbranding of Cly-Tone Tonic. U. S. v. 87 Bottles of Cly-Tone Tonic. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31312. Sample no. 56257-A.)**

Examination of the drug preparation, Cly-Tone Tonic, disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On November 8, 1933, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 87 bottles of Cly-Tone Tonic at Dallas, Tex., alleging that the article had been shipped in interstate commerce on or about July 6, 1933, by L. Wilson, from Boonesville, Miss., 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 Epsom salt, extracts of plant drugs, small proportions of salicylic acid and an iron compound, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the article, appearing in the labeling, were false and fraudulent: (Carton and bottle) "Cly-Tone Tonic Made for Your Health \* \* \* Cly-Tone is highly indicated in the treatment of Chronic Constipation, Indigestion, blood, Stomach, Kidney and Functional Disorders of the liver. \* \* \* Indigestion \* \* \* Cly-Tone first aid to health for the Stomach, Blood, Liver or Kidneys"; (circular) "Cly-Tone \* \* \* he had dizzy spells and couldn't sleep for nervousness and his appetite was gone. He became weak and shaky and had shooting pains in his back. \* \* \* I couldn't let it run on like some do for a man has to be fit to hold this job. I was advised to take Cly-Tone. \* \* \* I was nearly down and out. The first bottle convinced me. \* \* \* I feel like a new man. \* \* \* sick man. \* \* \* my stomach went wrong. I had heavy burning pains in my stomach till I could hardly stand straight. Black spots came before my eyes. I couldn't eat or rest \* \* \* I would be fagged out. \* \* \* advised me to try Cly-Tone. \* \* \* famous tonic. I took two bottles before I felt much benefit. Indigestion is the hardest thing in the world to cure. But I'm better now and I know I have the right medicine. I'm going to stick to Cly-Tone. It has saved my health. \* \* \* with two bottles of Cly-Tone Iron Tonic made him as good a man at 60 as he was at 35 years. \* \* \* Cly-Tone: The famous Iron and Herb Tonic. \* \* \* sure, \* \* \* remedy for \* \* \* liver and kidney trouble, indigestion and stomach trouble, impure blood, weak, nervous, run down system, sleeplessness, headache, backache, and stomach ache."

On January 8, 1934, 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.

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

**21824. Misbranding of Tarolfectant. U. S. v. Sioux Oil Tar Disinfecting Co. Plea of guilty. Fine, \$50 and costs. (F. & D. no. 31358. Sample no. 22116-A.)**

Examination of the drug product, Tarolfectant, disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On November 15, 1933, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Sioux Oil Tar Disinfecting Co., a corporation, Sioux City, Iowa, alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about March 4, 1933, from the State of Iowa into the State of Minnesota, of a quantity of Tarolfectant that was misbranded.

Analysis of a sample of the article by this Department showed that it consisted essentially of coal tar oils.

It was alleged in the information that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the article, were false and fraudulent: "Hog Flu \* \* \* Directions for Hog Flu \* \* \* Three treatments in nine days should make all your hogs \* \* \* in a more healthful condition."

The information also charged a violation of the Insecticide Act of 1910 (N.J. no. 1279). On November 15, 1933, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs for violation of both acts.

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

**21825. Misbranding of PX for Personal Hygiene. U. S. v. 34 Bottles, et al., of PX For Personal Hygiene. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 31545, 31546, 31551. Sample nos. 56012-A to 56017-A, incl., 37372-A.)**

Examination of the drug product, PX For Personal Hygiene, disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On November 7, 1933, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of thirty-six 3-ounce bottles, twelve 8-ounce bottles, and five 16-ounce bottles of PX For Personal Hygiene at Seattle, Wash. On November 10, 1933, libels were filed in the Northern District of Illinois against sixty-eight 3-ounce bottles, one hundred and sixty-four 8-ounce bottles, and forty-seven 16-ounce bottles of the product at Chicago, Ill.