

inhabitants of the alimentary tract of man. These acids destroy and inhibit harmful bacteria that live in the colon. With the development of the normal bacterial acids in the intestines, the colon again receives the normal stimulation for expelling gases and body residues. The first pound of powder used increases and develops the acid forming acidophilus and other protective bacteria and immediately after that the protective bacterial acids combined with intestinal juices begin their work of expelling the poison making bacteria and pent up painful gases. Colonaïd being a natural laxative food", appearing on the can label, and the statements, "Colonaïd is a food that is absolutely harmless as it contains nothing but ingredients eaten every day by the American family * * * Colonaïd being absolutely pure food, is not habit forming and can be taken in most any quantity by adults without being harmful", appearing in the circular, were false and misleading, since the article did not contain ingredients that nourish and enormously increase friendly protective acid-forming acidophilus bacteria that are normal inhabitants of the alimentary tract of man; it did not increase and develop acidophilus and other protective bacteria; it contained no ingredient that would destroy and inhibit harmful bacteria that live in the colon; it contained no ingredient to increase and develop acidophilus and other protective bacteria which combined with intestinal juices could expel poison making bacteria; it was not a natural laxative food; it was not absolutely harmless; it contained ingredients that are not eaten every day by the American family; it was not an absolutely pure food; and it could not be taken in almost any quantity by adults without being harmful, since it contained phenolphthalein.

Misbranding was alleged for the further reason that certain statements, designs, and devices appearing on the can label and in the circular, regarding the curative and therapeutic effects of the article, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for stomach and bowel troubles, such as bilious headaches, painful gas distention of the bowels, malnutrition, auto-intoxication, and foul breath; effective in the treatment of all colon troubles, and all forms of stomach and bowel ailments; effective to correct constipation and restore paralyzed muscles in the colon; effective to destroy poison-making bacteria that infest the colon; effective to keep the waste food matter in the colon in perfect condition; effective as an upbuilder of blood, tissue, muscles, bones, and the nervous system; effective as a tonic; and effective as a preventive of gases and constipation.

On February 1, 1934, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

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

22021. Misbranding of Khylex. U. S. v. 14 Cases of Khylex. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30478. Sample no. 30363-A.)

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

On May 22, 1933, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia, holding a district court, a libel praying seizure and condemnation of 14 cases, each containing 24 bottles of Khylex at Washington, D.C., alleging that the article had been sold on or about February 11, 1933, by the Khylex Chemical Co., Alexandria, Va., 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 hypochlorite, sodium chloride, sodium hydroxide, sodium carbonate, and water.

It was alleged in the libel that the article was misbranded in that the following statements, borne on the bottle label, regarding the curative and therapeutic effects of the article, were false and fraudulent, "For Itch, Skin Eruption."

On October 18, 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.

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