

22304. Misbranding of Menno. U. S. v. 11 Bottles of Menno. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31288. Sample no. 43993-A.)

Examination of a sample of Menno disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On October 23, 1933, the United States attorney for the Northern 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 11 bottles of Menno at Binghamton, N. Y., alleging that the article had been shipped in interstate commerce, on or about March 23, 1933, by the Scientific Manufacturing Co., from Scranton, Pa., 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 extracts of plant drugs including a laxative drug, glycerin, small proportions of sodium bicarbonate, magnesium carbonate, a trace of ipecac alkaloids, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative or therapeutic effects, appearing on the bottle label, were false and fraudulent: "For indigestion * * * Gas Conditions * * * or Ptomaine poisoning * * * in severe cases repeat every twenty minutes until relieved."

On December 12, 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.*

22305. Misbranding of Happy-Chick Gas Spray. U. S. v. 9 Cans of Happy-Chick Gas Spray. Default decree of forfeiture and destruction. (F. & D. no. 30819. Sample no. 40959-A.)

Examination of a sample of Happy-Chick Gas Spray showed that it contained no ingredient or combination of ingredients capable of producing curative and therapeutic effects claimed in the labeling.

On August 5, 1933, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of nine cans of Happy-Chick Gas Spray at Madison, Wis., alleging that the article had been shipped in interstate commerce on or about March 15, 1933, by the Happy-Chick Laboratories, from Chicago, Ill., 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 eucalyptus oil, menthol, formaldehyde, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects, appearing on the can label, were false and fraudulent: "For all diseases infesting the respiratory system such as colds, roup, infections, bronchitis, and pneumonia. Also splendid for the treatment of chicken pox * * * Take all badly infected birds place in small compartment and spray them severely. It is important to give Happy-Chick Wormer and Tonic at the same time as the Gas Spray treatment to clear up any internal disturbances accompanying the respiratory trouble."

On October 12, 1933, no claimant having appeared for the property, judgment of 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.*

22306. Misbranding of Puton. U. S. v. 33 Large Packages of Puton. Default decree of condemnation and destruction. (F. & D. no. 30388. Sample no. 30252-A.)

This case involved a quantity of Puton, a salve, the labels of which bore unwarranted curative and therapeutic claims.

On May 3, 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 33 packages of Puton at Washington, D.C., alleging that the article was in possession of the Peoples Drug Stores, Inc., and