Misbranding was alleged in that the statement, "Fluid Extract Squill U. S. P. X. * * * Biologically Standardized", borne on the label, was false and misleading.

On January 22, 1934, a plea of nolo contendere was entered on behalf of the defendant company, and the court entered judgment of not guilty.

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

22324. Adulteration and misbranding of radium chloride ampoules and misbranding of radium bath salts. U. S. v. Mrs. Sally Bryan (Denver Radium Service). Plea of nolo contendere. Fine, $25. (F. & D. no. 30298. Sample nos. 9563-A, 9564-A, 9568-A.)

This case was based on the interstate shipment of radium chloride ampoules labeled as containing 5 micrograms and 10 micrograms, respectively, of radium. Analyses showed that they contained less than the labeled quantity of radium. There was also covered by the case a shipment of radium bath salts which were labeled with unwarranted curative and therapeutic claims.

On December 21, 1933, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Mrs. Sally Bryan, trading as the Denver Radium Service, Denver, Colo., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about May 7, 1932, from the State of Colorado into the State of Virginia, of quantities of radium chloride ampoules which were adulterated and misbranded, and on or about March 26, 1932, from the State of Colorado into the State of Virginia, of a quantity of radium bath salts which were misbranded. The boxes containing the said ampoules were labeled in part: "Radium Content DRS Guaranteed Denver 5 microgram Ra. [or "10 Microgram Ra."] (Chloride) Certified and Prepared for Denver Radium Service Denver, Colo." The bath salts were labeled in part: "One Standard Radium Emanation Bath D. R. S. * * * Denver Radium Service Denver, Colo."

Analyses of samples of the articles by this Department showed that they consisted essentially of mixtures of common salt and carnotite ore. A sample of the alleged 5-microgram ampoules contained 4.28 micrograms of radium; 2 samples of the alleged 10-microgram ampoules contained 7.29 and 2.50 micrograms of radium, respectively; a sample of the bath salts contained 4.81 millimicrograms of radium per gram.

It was alleged in the information that the radium chloride ampoules were adulterated in that their strength and purity fell below the professed standard and quality under which they were sold, in that they were represented to contain 5 micrograms and 10 micrograms, respectively, of radium, whereas they contained less amounts.

Misbranding of the said ampoules was alleged for the reason that the statements on the boxes and ampoules, "5 Microgram Ra." and "10 Microgram Ra.", were false and misleading. Misbranding of the bath salts was alleged for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects of the article, borne on the carton and box labels, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for nervous disorders, insomnia, general debility, arthritis, and rheumatism.

On April 21, 1934, the defendant entered a plea of nolo contendere, and the court imposed a fine of $25.

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

22325. Misbranding of Nu-Vim. U. S. v. 30 Bottles of Nu-Vim. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31063. Sample no. 49681-A.)

Examination of Nu-Vim Tonic showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. The article contained undeclared alcohol.

On September 11, 1933, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 30 bottles of Nu-Vim at Memphis, Tenn., alleging that the article had been shipped in interstate commerce, on or about May 10, 1933, by D. H. Browder, from Port Gibson, Miss., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Manufactured by Nu-Vim Chemical Company, Port Gibson, Miss."

Analysis of a sample of the article by this Department showed that it consisted essentially of magnesium sulphate, an iron compound, an extract of a laxative plant drug (alcohol 1.7 percent), and water.