Analysis of the Koff Kure showed that it was a syrup containing plant extractives, alcohol (10.4 percent by volume), and chloroform (1.08 minims per fluid ounce).

The vanilla flavor was alleged to be adulterated in that an artificially colored imitation vanilla extract, largely composed of artificial vanillin solution, had been substituted for vanilla flavor which the article purported to be.

Misbranding of the vanilla flavor was alleged for the reason that the statements, (carton) "Vanilla Flavor * * * The Vanilla is an especially fine extract made from the vanilla bean. Guaranteed to give perfect satisfaction", and (bottle) "Vanilla Flavor * * * Perfect Purity, Great Strength, * * * A High-Grade Extract, One of Quality. Holbrook's Concentrated Vanilla Flavor is a Pure Fruit Vanillin Extract made stronger and improved by the addition of a high-grade Mexican Vanilla Bean, which makes it the strongest extract of any on the market that have the real and delicate flavor of the Vanilla Bean", were false and misleading, and for the further reason that the article was labeled so as to deceive and mislead the purchaser, since the said statements represented that it was a high-grade extract of perfect purity, great strength, and concentrated vanilla flavor; whereas it was not as represented, but was an artificially colored imitation vanilla extract, largely composed of artificial vanillin solution. Misbranding of the vanilla flavor was alleged for the further reason that it was an artificially colored vanillin solution, prepared in imitation of vanilla extract and was offered for sale and sold under the distinctive name of another article, namely, vanilla flavor.

Misbranding of the Koff Kure was alleged for the reason that certain statements regarding its therapeutic and curative effects, appearing on the bottle labels and cartons, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for coughs, hoarseness, croup, consumption, whooping cough, sore throat, asthma, bronchitis, and all diseases of the throat and lungs; and effective to have a healing effect on the lungs. Misbranding of the Koff Kure was alleged for the further reason that the article contained chloroform and alcohol, and the package label failed to bear a statement of the quantity or proportion of the chloroform and alcohol contained therein.

On July 15, 1935, a plea of nolo contendere was entered on behalf of the defendant company and the court imposed a fine of $10.

W. R. GREGG, *Acting Secretary of Agriculture.*

24659. Adulteration and misbranding of Femasept. U. S. v. 33 Packages of Femasept. Default decree of condemnation and destruction. (F. & D. no. 34439. Sample no. 6231–B.)

This case was based on an interstate shipment of a drug preparation which was adulterated and misbranded because it contained a smaller proportion of sodium dichlorylsulfamid benzoate than declared, and was further misbranded because of unwarranted claims of alleged curative, bactericidal, and germicidal properties appearing in the labeling.

On December 19, 1934, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 33 packages of Femasept at Tampa, Fla., alleging that the article had been shipped in interstate commerce on or about November 10, 1933, by the Chemical Laboratories, Inc., from Atlanta, Ga., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of starch and lactose with small amounts of Rochelle salt, talc, and sodium chloride, and that it contained not more than a trace of sodium dichlorylsulfamid benzoate. Bacteriological examination showed that it was devoid of antiseptic properties.

The article was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, namely, "Contains 1% Sodiumdichlorylsulfamidbenzoate, * * * powerful effect upon bacteria * * * Powerful germ destroying agents."

Misbranding was alleged for the reason that the following statements appearing in the labeling were false and misleading: (Label) "Each tablet contains 1% Sodiumdichlorylsulfamidbenzoate"; (small leaflet) "Liberating oxygen which instantly penetrates all the folds and crevices of the mucous membrane. * * * powerful effect upon bacteria. * * * Each tablet contains 1% Sodiumdichlorylsulfamidbenzoate"; (large leaflet) "Releasing an oxygen-gas, one of the most powerful germ destroying agents." Misbranding was alleged for the further reason that the following statements contained in the leaflets

and circular shipped with the article were false and fraudulent: (Small leaflet) "Insert a Femasept Tablet as far back as possible into the vagina, not less than 5 and not more than 60 minutes before exposure. The tablets quickly dissolve, liberating oxygen which instantly penetrates all the folds and crevices of the mucous membrane. The action provides protection, guarding against infectious germs often present in the vagina. In spite of their powerful effect upon bacteria, there is no fear of any damage or harm to the delicate tissues. They are non-irritating and non-staining. Their continued use is not injurious to the general health. * * * For treatment of Leuchorrhea, burning, scalding urine and vaginal discharges insert two tablets daily for six or more days or until relieved. In some cases the Femasept Tablet will cause a slight watery discharge for a few days which denotes the curative action of the chemical. In cases of menstrual disturbance, Femasept may cause menstruation to appear a few days in advance, or until the genital system is fully regulated. The continued daily use of Femasept is advised"; (large leaflet) "I am happy to introduce to you our contribution to the health and happiness of American Womanhood—Femasept Tablets. * * * It will bring to you that priceless peace of mind, a new security such as you have never known before. No longer need the active, intelligent woman of today trust one of the most vital, and until now, difficult problems of her married life to loathsome caustic solutions, clumsy, inconvenient appliances, messy jelly preparations—always uncertain, never sure. Pleasantly, delicately—Femasept Tablets are the perfect answer. * * * One Femasept Tablet inserted before exposure is all that is required. * * * It is instantly effective, reaching and penetrating into every fold and crevice, and for hours providing complete protection against unwanted germ life. * * * Femasept is one of the most dependable methods for correcting disturbing symptoms so common to women. Its use in cases of painful menstruation is advised. The daily use of one Femasept Tablet for five days prior to the regular menstruation period will bring relief and will in time restore the most aggravated case of painful menstruation to normal. * * * For Leucorrhea (Whites) the use of one Femasept Tablet each night for about ten days following menstruation will destroy the infection and restore the vagina to normal. And, my older friends, thanks to Femasept, the menapause (change of life), so dreaded by women because of the very serious and disturbing nervous condition which usually follows the cessation of menstruation, has been changed into a natural, normal function for thousands of women. If before the change of life there has been any vaginal disorder, it is more important that Femasept be used regularly each day so that the genital organs may readjust themselves quickly. And Dear Madam, if you too, have known those terrible periods of nerve strain and worry, Femasept Tablets will come as a real blessing. For only a woman can know the horror of uncertainty and the worry that destroys beauty and health."

On March 30, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. Gregg, *Acting Secretary of Agriculture.*

24660. Misbranding of Dia-Bet. U. S. v. 48 Bottles and 148 Bottles of Dia-Bet. Default decrees of condemnation and destruction. (F. & D. no. 34469. Sample no. 19760–B.)

This case involved a drug preparation the labeling of which contained unwarranted curative and therapeutic claims.

On December 3, 1934, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 196 bottles of Dia-Bet at Cleveland, Ohio, alleging that the article had been shipped in interstate commerce on or about September 25, 1934, by the Dia-Bet Laboratories, from Detroit, Mich., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Dia-Bet Myrtol Preparation."

Analysis showed that the article consisted essentially of water with small amounts of sodium benzoate and extracts from plant materials, including myrtillin.

The article was alleged to be misbranded in that the following statements appearing in the labeling were statements regarding the curative and therapeutic effects of the article and were false and fraudulent: (Label) "Dia-Bet A Pleasant and Effective Treatment for Diabetes"; (circular) "Dia-Bet 'Dia-