

article yielded not more than 0.056 gram of alkaloids per 100 cubic centimeters, that the article differed from the standard of strength as determined by the test laid down in said formulary, and that its own strength was not stated on the label.

Misbranding of the fluidextract of cinchona compound, detannated, was charged under the allegation that the label of the bottles bore the statements, to wit, "One Pint represents: Red Cinchona Bark, 8 troy ounces; * * * The red bark used in this preparation contains not less than 5 per cent of total alkaloids"; and that the said statements were false and misleading.

Misbranding of the fluidextract of cinchona, detannated, was charged (a) under the allegations that the labels of the bottles bore the statements, to wit, "Dose—10 to 60 m. * * * Action and Uses * * * febrifuge and antiperiodic * * *", that the said statements were representations regarding the curative or therapeutic effects of the article, and that the said statements were false and fraudulent; (b) that the labels of the bottles bore the statement, to wit, "Standard Of Strength—Each C. C. represents one gram of bark containing four per cent ether, soluble alkaloids", and that the said statement was false and misleading.

Misbranding of the fluidextract of conium fruit was charged under the allegation that the label bore the statement, to wit, "Fluid Extract Conium Fruit, N. F."; that the National Formulary did not recognize fluidextract of conium fruit; that the said statement was false and misleading; under the allegation that the label bore the statement, to wit, "Standard of Strength—0.35–0.45% of coniine weighed as hydrochloride"; and that the said statement was false and misleading.

Misbranding of the fluidextract of ipecac was charged under the allegation that the label bore the statement, to wit, "Standard of Strength—0.35–0.45% Alkaloids"; and that the said statement was false and misleading.

Misbranding of the elixir of aloin, belladonna, and strychnia was charged under the allegation that the label bore the statement, to wit, "Each fluid drachm containing * * * Ext. Belladonna Leaves, $\frac{1}{8}$ grain; Strychnia, 1–60 grain * * *"; and that the said statement was false and misleading.

Misbranding of the elixir of calisaya bark, iron, bismuth, and strychnia was charged under the allegation that the label bore the statement, to wit, "Each fluid drachm containing 5 grains of Calisaya Bark, * * *"; and that the said statement was false and misleading.

Misbranding of the elixir of bismuth and hydrastia was charged under the allegation that the label bore the statement, to wit, "Each fluid drachm contains: * * * Hydrastia Alkaloid, $\frac{1}{16}$ grain"; and that the said statement was false and misleading.

Misbranding of the Elixir Anti-Malarial was charged under the allegations that the label bore the statement, to wit, "Each fluid drachm contains: * * * Cinchona Alk., 1 gr."; and that the said statement was false and misleading.

Misbranding of the elixir of calisaya, iron, and strychnine was charged under the allegation that the label bore the statement, to wit, "Each fluid ounce represents: Calisaya Bark, 40 grains * * *"; and that the said statement was false and misleading.

On July 9, 1935, no claimant having appeared in any of the 10 cases, judgment of condemnation, forfeiture, and destruction was entered in each.

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

25105. Adulteration of tincture of goldenseal. U. S. v. One 16-Fluid-Ounce Bottle and Eight 4-Fluid-Ounce Bottles, more or less, of Tincture of Goldenseal. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 35568. Sample no. 28494-B.)

This article was represented as meeting the requirements of the National Formulary and was found upon examination to have had a potency that differed from that required by the formulary.

On June 4, 1935, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of nine bottles of tincture of goldenseal at New Orleans, La., alleging that it had been shipped in interstate commerce, on or about March 27, 28, and 30, 1935, by the Southwestern Drug Corporation, from Houston, Tex., to New Orleans, La., and charging adulteration in violation of the Food and Drugs Act as amended. The article was labeled in part: (Bottle) "From the Laboratory of Houston Drug Company, Houston, Texas."

Adulteration of the article was charged under the allegations that it was sold under a name recognized in the National Formulary; that the said formulary specified that 100 cubic centimeters of tincture of goldenseal should yield not less than 0.36 gram of ether-soluble alkaloids; that the article yielded not more than 0.305 gram thereof per 100 cubic centimeters; that the article differed from the standard of strength as determined by the test laid down in the said formulary, and its own standard was not stated on the label.

On July 26, 1935, no claimant having appeared, judgment of condemnation, forfeiture, and destruction was entered.

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

25106. Adulteration and misbranding of Moone's Emerald Oil. U. S. v. 20 Packages, et al., of Moone's Emerald Oil. Default decrees of condemnation and destruction. (F. & D. nos. 35604, 35754, 35757. Sample nos. 24553-B, 24554-B, 38380-B, 38398-B, 38399-B.)

These cases involved a drug preparation the labeling of which contained unwarranted curative, therapeutic, and germicidal claims for the product.

On June 4, 1935, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 21 packages of Moone's Emerald Oil at Wilkes-Barre, Pa. On July 11, 1935, libels were filed against 16 packages of the product at Easton, Pa., and 61 packages at Trenton, N. J. The libels alleged that the article had been shipped in interstate commerce on or about March 25, April 15, and April 19, 1935, by the International Laboratories, Inc., from Rochester, N. Y., and that it was adulterated and misbranded in violation of the Food and Drugs Act as amended.

Analysis of a sample taken from one of the shipments showed that it consisted essentially of volatile oils including camphor oil with small proportions of methyl salicylate, phenol, and mineral oil, colored green. Bacteriological examination showed that it was incapable of killing a culture of *Staphylococcus aureus* within 1½ hours at body temperature.

The article was alleged to be adulterated in that its strength fell below the professed standard or quality under which it was sold, namely, "Germicide."

Misbranding was alleged for the reason that the statement "Germicide", appearing on the carton, was false and misleading. Misbranding was alleged with respect to a portion of the article for the further reason that certain statements regarding its curative and therapeutic effects, contained in the circular shipped with the article, falsely and fraudulently represented that it was effective in the treatment of toe itch, acne, pimples, soft corns and bunions, varicose veins, varicose ulcers, dandruff, scaly irritation of the scalp; and effective as a surgical assistant in serious conditions; effective as a deodorant and comforting analgesic in stubborn irritated conditions attended by profuse suppuration; effective to promote healthful healing and eradicate odor in cases of objectionable discharges and to reduce other objectionable symptoms; effective to promote formation of new healthy skin; and effective in the treatment of chronic and incurable diseases. Misbranding was alleged with respect to the remainder of the article for the further reason that certain statements in the circular falsely and fraudulently represented that it was effective in the treatment of lameness and stiff joints, muscle, joint, and nerve conditions, toe itch, varicose or swollen veins; effective to aid nature to retract the distended tissues of the vein walls; and effective in the treatment of ulcerated conditions and to give new strength to the vein walls.

On June 28, July 27, and August 20, 1935, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

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

25107. Misbranding of Red Fire Ointment. U. S. v. 66 Boxes of Red Fire Ointment. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 35610. Sample no. 35657-B.)

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

On June 25, 1935, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court of the United States for the district aforesaid a libel praying seizure and condemnation of 66 boxes of the said Red Fire Ointment at Denver, Colo., consigned by the Harwell Co., alleging that the article had been shipped in interstate commerce on or about December 29, 1934, from Chicago, Ill., to Denver,