

Misbranding of the articles was charged in that the bottle labels bore statements regarding the curative or therapeutic effects of the articles; that the statements represented that the articles were composed of or contained ingredients or medicinal agents or combinations effective, among other things, as remedies for the diseases, ailments, and afflictions mentioned upon the bottle labels; and that the said statements were false and fraudulent.

On May 19, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

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

25810. Misbranding of Kavatone and Kavatone Soft Mass Pills. U. S. v. Gray's Medicine Co., a corporation. Plea of guilty. Fine, \$5. (F. & D. no. 28150. I. S. nos. 52317, 53106, 53107.)

False and fraudulent curative and therapeutic claims were made for these articles, and the package of one of them was without a statement of the quantity of its alcoholic content.

On March 24, 1933, the United States attorney for the Northern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Gray's Medicine Co., a corporation, South Bend, Ind., alleging shipments by it in violation of the Food and Drugs Act as amended, on or about January 19, 1932, and on or about February 24, 1932, from South Bend, Ind., to Grand Rapids, Mich., and to Chicago, Ill., respectively, of quantities of Kavatone and Kavatone Soft Mass Pills which were misbranded. The articles were labeled in part: (Bottle) "Kavatone A Splendid Medicine of Proven Merit * * * Contains 3¾% by volume Isopropyl Alcohol * * * Gray's Medicine Co. South Bend, Ind."; (package) "Kavatone Soft Mass Pills * * * Gray's Medicine Company Makers of Kavatone Tonic South Bend, Indiana."

Analyses showed that the Kavatone consisted essentially of potassium iodide (0.44 gram per 100 cc), extracts of plant drugs including a laxative drug, small proportions of volatile oils including anise oil and methyl salicylate, isopropyl alcohol (3.7 percent by volume), glycerin, and water; and that the Kavatone Soft Mass Pills consisted essentially of plant drugs including a laxative drug.

Misbranding of Kavatone was charged (a) in that the labels of the bottles and cartons bore statements that were false and fraudulent representations that the article was effective, among other things, as a splendid medicine of proven merit in the promotion of general health; effective as Nature's own restorative; effective as a builder of strength; effective as a splendid system purifier; effective to give energy and to aid digestion; and effective as a treatment, remedy, and cure for rheumatism, stomach, kidney, liver, and impure blood; (b) in that the article contained alcohol and that the label and the carton failed to bear a statement of the quantity or proportion thereof in the article.

Misbranding of Kavatone Soft Mass Pills was charged in that the labels of the package and a circular enclosed in the package bore statements regarding the curative and therapeutic effects of the article, and that the said statements were false and fraudulent representations that the article was effective, among other things, to purify the inner system; and efficient as the natural and most effective stimulant to the bile-producing activity of the liver; effective to promote drainage of the gall bladder and bile passages; effective to stimulate and to tone up the liver so that it would produce and deliver into the intestinal tract the correct quantity and quality of bile; effective when used in connection with the Kavatone treatment to produce best results; and effective when used in connection with Kavatone to establish regularity of bowel movement.

On October 29, 1935, a plea of guilty having been entered, a fine of \$5 was imposed.

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

25811. Misbranding of Ray-X Water. U. S. v. 11 Cases of Ray-X Water. Decree of condemnation, forfeiture, and destruction entered upon abatement of the claim of the Ray-X Water Corporation through cancellation of its corporate charter. (F. & D. no. 30064. Sample nos. 36609-A, 36612-A.)

The name of this article erroneously implied that it was radioactive; and unwarranted therapeutic and curative claims were made for the article.

On April 8, 1933, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel, and on April 21, 1933, an amended libel praying seizure and condem-