

The article was alleged to be misbranded in that a statement on some of the metal containers of the article and statements on a small envelope and in a circular accompanying each of the packages, representing that the article was safe and harmless and would not interfere with the natural processes, were false and misleading, since the article was not safe nor harmless and might interfere with the natural processes. The article was alleged to be misbranded further in that statements regarding its curative or therapeutic effects, appearing upon and within the packages, falsely and fraudulently represented that the article was a safe and appropriate remedy for banishing, preventing, and relieving menstrual pains, for relieving simple headache, and other aches and pains, neuritis, neuralgia, rheumatism, lumbago, restless nerves, and sleeplessness.

On February 26, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

26170. Adulteration and misbranding of Neosupracain Procaine-Epinephrine Solution. U. S. v. 4½ Packages of Neosupracain Procaine-Epinephrine Solution. Default decree of condemnation and destruction. (F. & D. no. 37189. Sample no. 57005-B.)

This case involved an interstate shipment of Neosupracain Procaine-Epinephrine Solution that contained procaine hydrochloride in a proportion greater than that represented on the label, and the label failed to bear a statement that chloretone contained in the article was a derivative of chloroform.

On February 14, 1936, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of four and one-half packages of Neosupracain Procaine-Epinephrine Solution at Detroit, Mich., alleging that the article had been shipped in interstate commerce on or about December 10, 1935, by the Neosupracain Co., from Chicago, Ill., and that it was adulterated and misbranded in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that its strength fell below the professed standard or quality under which it was sold, namely, "Procaine Hydrochloride, U. S. P. 2%." The article was alleged to be misbranded in that the following statements were false and misleading: (Box) "2.5 cc (approx.) * * * "Procaine Hydrochloride, U. S. P. 2%"; (circular) "Procaine Hydrochloride, U. S. P. 2%." The article was alleged to be misbranded further in that the label failed to bear a statement that chloretone contained therein was a derivative of chloroform.

On March 7, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

26171. Misbranding of Doran's Gape Remedy. U. S. v. 91 Cans of Doran's Gape Remedy, and 4 other libel proceedings against the same product, involving 235 cans thereof. Decree of condemnation, forfeiture, and destruction in each of the cases. (F. & D. nos. 37136, 37233, 37234, 37235, 27236. Sample nos. 18899-B, 56123-B, 56124-B, 56125-B, 56138-B, 56139-B.)

Therapeutic and curative claims were made for this article which were adjudged to be false and fraudulent.

On January 31 and February 24, 1936, the United States attorney for the Southern District of Ohio, acting upon reports by the Secretary of Agriculture, filed libels praying seizure and condemnation of 326 cans of Doran's Gape Remedy at Cincinnati, Ohio, alleging shipment of the article on or about February 24, June 14, July 5, July 22, and July 26, 1935, by Doran & Hicks, from Brandenburg, Ky., to Cincinnati, Ohio, and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of calcium arsenate (45 percent), calcium arsenite (3 percent), mineral matter, and a purple coloring material.

Misbranding of the article was charged under the allegations that the label upon the cans bore, and a leaflet enclosed in the cans contained, statements regarding the curative or therapeutic effect of the article; that the statements represented that the article would cure gapes in chickens and turkeys, that one or two applications thereof would cure gapes in chickens and that it would effect such cure through inhalation of the article by chickens and turkeys; that the said statements were false and fraudulent.