

valuable remedy for the cure, mitigation, or prevention of coughs, bronchitis, bronchial asthma, whooping cough, sore throat, catarrh, hay fever, and hoarseness.

On July 24, 1936, the defendant entered a plea of guilty and the court imposed a fine of \$25.

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

**26728. Misbranding of Poloris Dental Poultice. U. S. v. Poloris Co., Inc. Plea of guilty. Fine, \$125. (F. & D. no. 36018. Sample no. 26051-B.)**

The packages of this product bore and contained false and fraudulent representations regarding its curative and therapeutic effects.

On August 7, 1936, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Poloris Co., Inc., a corporation, New York, N. Y., charging shipment by said corporation in violation of the Food and Drugs Act as amended, on or about August 21, September 12, October 24, and November 21, 1934, and January 7, 1935, from the State of New York into the State of Massachusetts of quantities of Poloris Dental Poultice which was misbranded.

Analysis of a sample of the article showed that it consisted essentially of plant material such as belladonna leaves, hops, aconite, sassafras, and acacia.

The article was alleged to be misbranded in that statements regarding its curative and therapeutic effects, appearing on the boxes containing it, on the cartons enclosing the boxes, and in a circular enclosed in each of the cartons, falsely and fraudulently represented that the article would be effective as a treatment, remedy, and cure for toothache and for abscess, swelling, or any inflammation of teeth and gums; effective as a treatment for the relief of toothache due to abscess conditions, gingivitis, trench mouth, soreness after treating pyorrhea, and during pregnancy; and effective for toothache of any other kind.

On October 19, 1936, a plea of guilty was entered on behalf of the defendant corporation and the court imposed a fine of \$125.

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

**26729. Misbranding of Kalis' Laxative Capsules. U. S. v. 18 Packages of Kalis' Laxative Capsules. Default decree of condemnation and destruction. (F. & D. no. 36419. Sample nos. 27437-B, 27438-B.)**

The packages of this article contained false and fraudulent representations regarding its curative or therapeutic effect.

On September 25, 1935, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 180 packages of Kalis' Laxative Capsules at Atchison, Kans., alleging that the article had been shipped in interstate commerce on or about February 1, 1935, by the Kalis Products Co., from St. Joseph, Mo., and that it was misbranded in violation of the Food and Drugs Act as amended.

Analysis of the article showed that it consisted essentially of acetanilid (2 grains per capsule), extracts of plant drugs including asafetida and a laxative drug, camphor, and compounds of magnesium and iron.

The article was alleged to be misbranded in that statements appearing upon and within the package, "Flu-Caps' For \* \* \* Grip and Influenza", and the statement, "Were Formerly Known as Kalis' Laxative 'Flu-Caps'", upon a circular, falsely and fraudulently represented that the article was capable of producing the curative or therapeutic effect claimed in said statements.

On September 14, 1936, 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.*

**26730. Misbranding of Roup-Powder and Poultry Worm Expeller; adulteration and misbranding of Acetanilid Comp. Tablets. U. S. v. 597 Cartons of Roup-Powder, 285 Cans of Poultry Worm Expeller, and 52,000 Acetanilid Comp. Tablets. Default decree of condemnation and destruction. (F. & D. nos. 36880, 36881, 36882. Sample nos. 52368-B, 52369-B, 52373-B.)**

The label of the Roup-Powder contained false and fraudulent representations regarding its curative or therapeutic effect. The Acetanilid Comp. Tablets contained caffeine in addition to acetanilid, and the package failed to bear a statement of the quantity or proportion of acetanilid contained therein. The pack-

age of the Poultry Worm Expeller bore false and fraudulent representations regarding its curative or therapeutic effect.

On December 27, 1935, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 597 cartons of Roup-Powder, 52,000 Acetanilid Comp. Tablets, and 285 cans of Poultry Worm Expeller at Bloomington, Ill., alleging that said articles had been shipped in interstate commerce on or about October 4, 9; and 31, 1935, by the G. B. Shores Laboratories from Cedar Rapids, Iowa, and charging that the Roup-Powder and the Poultry Worm Expeller were misbranded, and that the Acetanilid Comp. Tablets were adulterated and misbranded in violation of the Food and Drugs Act.

Analysis of the Roup-Powder showed that it consisted essentially of 27.1 percent of potassium permanganate incorporated in a filter containing calcium and magnesium carbonates and sulphates. Analysis of the Acetanilid Comp. Tablets showed that they contained 1.9 grains of acetanilid and 1.1 grains of caffeine per tablet. Analysis of the Poultry Worm Expeller showed that it consisted essentially of kamala and nicotine.

The Roup-Powder was alleged to be misbranded in that the statements appearing upon the cartons, "Roup-Powder \* \* \* as an aid for preventing roup \* \* \* When sight of bird is affected bathe the head of the bird with this solution twice daily. In case of cholera \* \* \* to aid in preventing the spread of the disease use this powder according to directions for preventing Roup. For canker—Follow directions for prevention of Roup \* \* \* Roup-Powder", falsely and fraudulently represented that the article was capable of producing the effects claimed in said statements.

The Acetanilid Comp. Tablets were alleged to be adulterated in that their strength fell below the professed standard under which they were sold, namely, "Acetanilid Comp.", since they contained caffeine in addition to acetanilid. Said article was alleged to be misbranded in that it was offered for sale under the name of another article, and in that its package failed to bear a statement of the quantity or proportion of acetanilid contained therein.

The Poultry Worm Expeller was alleged to be misbranded in that the statements appearing on the packages and containers, "Worm Expeller For removal of Tape Worms and Round Worms in Poultry", falsely and fraudulently represented that it was capable of producing the curative or therapeutic effects claimed in said statements.

On September 29, 1936, 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.*

**26731. Adulteration of Compressed Tablets Phenobarbital, Special Compressed Tablets 1904, and Special Chocolate Coated Tablets 1903.** U. S. v. Charles H. Dietz (Charles H. Dietz & Co.). Plea of guilty. Fine, \$225 and costs. (F. & D. no. 36937. Sample nos. 28283-B, 56351-B, 56354-B.)

The Compressed Tablets Phenobarbital contained less phenobarbital than the amount represented on the label; and the Special Compressed Tablets 1904 and the Special Chocolate Coated Tablets 1903 contained less acetanilid and potassium bromide than the amounts represented on the labels.

On October 5, 1936, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Charles H. Dietz, trading as Charles H. Dietz & Co., St. Louis, Mo., charging that said defendant on or about February 14, 1935, sold and delivered to a certain dealer a quantity of Compressed Tablets Phenobarbital, with and under a written guaranty that said article was not adulterated under the Food and Drugs Act; and alleging that said article when so sold and delivered to such dealer was adulterated under the Food and Drugs Act, and that said article so adulterated was shipped by such dealer and purchaser on or about February 14, 1935, from the State of Missouri into the State of Illinois in violation of the Food and Drugs Act. The information charged further that said defendant, Charles H. Dietz, shipped on or about November 11, 1935, from the State of Missouri into the State of Indiana a quantity of Special Compressed Tablets 1904 that were adulterated; and that said defendant shipped on or about December 10, 1935, from the State of Missouri into the State of Indiana a quantity of Special Chocolate Coated Tablets 1903 that were adulterated in violation of the Food and Drugs Act.