26969. Misbranding of witch hazel; adulteration and misbranding of rubbing alcohol compound. U. S. v. Fallis, Inc., and William S. Spero and Herman Arkus. Pleas of guilty. Fine, $200. (F. & D. no. 37993. Sample nos. 44028–B, 44029–B, 44030–B, 44035–B, 46136–B, 46137–B, 50470–B.)

The bottle labels of the witch hazel bore false and fraudulent representations regarding its curative and therapeutic effects. The rubbing alcohol compound, represented on the label to consist essentially of ethyl alcohol and to be endorsed by the medical profession, contained isopropyl alcohol but no ethyl alcohol, and was not endorsed by the medical profession.

On November 6, 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 Fallis, Inc., and William S. Spero and Herman Arkus, officers of said corporation, New York, N. Y., charging shipment by said defendants in violation of the Food and Drugs Act, from the State of New York on or about October 26, 1935, into the State of Massachusetts of a quantity of witch hazel that was misbranded; and on or about October 26 and 29 and November 27, 1935, into the States of Massachusetts and California of quantities of an article labeled rubbing alcohol compound that was adulterated and misbranded.

The witch hazel was alleged to be misbranded in that statements regarding its curative and therapeutic effects, borne on the bottle labels, falsely and fraudulently represented that it would be effective as a relief and remedy for rheumatism and piles.

The rubbing alcohol compound was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold in that it was represented as rubbing alcohol compound that contained 70 percent by volume of ethyl alcohol; whereas in fact it was not rubbing alcohol compound that contained 70 percent by volume of ethyl alcohol, but contained approximately 2 percent by volume of isopropyl alcohol and did not contain any ethyl alcohol. Said article was alleged to be misbranded in that the statement "Rubbing Alcohol Compound Alcohol—70%" borne on the cartons, and the statement "Alcohol-Rub * * * Endorsed by the Medical Profession", borne on the bottle labels, were false and misleading in that they represented that it was rubbing alcohol compound containing 70 percent by volume of ethyl alcohol, that it was an alcohol rub, that is, a product containing 70 percent by volume of ethyl alcohol, and that it was endorsed by the medical profession; whereas in fact it was not rubbing alcohol compound containing 70 percent by volume of ethyl alcohol, it was not an alcohol rub, a product consisting essentially of ethyl alcohol, but was a product which contained about 2 percent of isopropyl alcohol and no ethyl alcohol, and it was not endorsed by the medical profession. Said article was alleged to be misbranded further in that it was a product which contained isopropyl alcohol and no alcohol, prepared in imitation of a product which should consist essentially of ethyl alcohol, and was offered for sale and sold under the name of another article, "Rubbing Alcohol Compound."

On December 28, 1936, pleas of guilty were entered by the defendants and the court imposed a fine of $200 on the defendant corporation.

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

26970. Adulteration and misbranding of Neurosine. U. S. v. Dios Chemical Co. Plea of nolo contendere. Fine, $500 and costs. (F. & D. no. 38043. Sample nos. 32437–B, 32448–B, 32462–B, 71601–B, 71602–B, 71603–B.)

The label of this product purported to state all of the active medicinal agents contained in the article, when it contained other active medicinal ingredients in addition to those represented. The article in certain shipments contained bromides of potassium, sodium, ammonium, and zinc in proportions less than those represented on the label.

On November 18, 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 Dios Chemical Co., St. Louis, Mo., charging shipment by said corporation in violation of the Food and Drugs Act, on or about November 15 and December 6, 1935, and January 2, 3, and 14, 1936, from the State of Missouri into the State of Tennessee of quantities of Neurosine which in the consignments of November 15 and December 6, 1935, was misbranded, and in the consignments of January 2, 3, and 14, 1936, was adulterated and misbranded.

The article in each of the six consignments was alleged to be misbranded in that the statement, "0.75 Gr. Per Oz. Each, Ext. Henbane and Fl. Ext. Bella-

donna .060 Gr. Per Oz. Oil Bitter Almonds .60 Gr. Per Oz. Fl. Ext. Cannabis Indica", borne on the label, was false and misleading in that it represented that the active medicinal agents of the article consisted of extract of henbane, fluidextract of belladonna, oil of bitter almonds, and fluidextract of cannabis indica; whereas in fact the article contained a large proportion of other active medicinal agents, namely, different bromides, not mentioned on the label.

The article in four of the six consignments was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, in that each fluid ounce of the article was represented to contain 40 grains each of potassium bromide, sodium bromide, ammonium bromide, and 1 grain of zinc bromide; whereas in fact each fluid ounce of the article contained not more than 30.7 grains of potassium bromide, not more than 30.6 grains of sodium bromide, not more than 31 grains of ammonium bromide, and not more than 0.76 grain of zinc bromide.

On December 15, 1936, a plea of nolo contendere was entered on behalf of the defendant corporation and the court imposed a fine of $500 and costs.

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

26971. Adulteration and misbranding of glucose-calcium and solution epinephrin chloride. U. S. v. 1 Package of Glucose-Calcium Ampoules and 3 Packages of Solution Epinephrin Chloride Ampoules. Default decree of condemnation and destruction. (F. & D. nos. 38320, 38331. Sample nos. 75737–B, 4783–C.)

The glucose-calcium was not sterile, as represented on the label, since it contained viable yeasts; it contained calcium equivalent to less than 1 gram of calcium hydroxide in each 30 cubic centimeters, namely, calcium equivalent to 0.867 grain of calcium hydroxide in each 30 cubic centimeters. The epinephrin chloride had a potency of approximately 63 percent of that specified on the label.

On September 24, 1936, the United States attorney for the Southern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1 package containing 6 ampoules of glucose-calcium and 3 packages containing 12 ampoules of epinephrin chloride at Decatur, Ill., alleging that the articles had been shipped in interstate commerce on or about March 9, 1936, by E. S. Miller Laboratories, Inc., from Los Angeles, Calif., and charging adulteration and misbranding in violation of the Food and Drugs Act.

The glucose-calcium was alleged to be adulterated in that its strength and purity fell below the professed standard or quality under which it was sold, namely, "Sterile Solution * * * 30 c. c. contains Calcium equivalent to 1 gram of Calcium Hydroxide", since it was not sterile but contained viable yeasts and 30 cubic centimeters of the article did not contain calcium equivalent to 1 gram of calcium hydroxide but contained calcium equivalent to less than 1 gram of calcium hydroxide.

The epinephrin chloride was alleged to be adulterated in that its strength fell below the professed standard or quality under which it was sold, "Solution Epinephrin Chloride (1:1000)", since it had a potency of 63 percent of that claimed on the label.

Misbranding of the glucose-calcium was alleged in that the statements, "Sterile Solution" and "30 c. c. contains Calcium equivalent to one gram of Calcium-hydroxide", borne on the label, were false and misleading since the article was not sterile but contained viable yeasts and 30 cubic centimeters of the article contained calcium equivalent to less than 1 gram of calcium hydroxide.

Misbranding of the epinephrin chloride was alleged in that the statement "Solution Epinephrin Chloride (1:1000)" was false and misleading, since the article had a potency of 63 percent of that claimed.

On January 8, 1937, no claimant having appeared, judgment of condemnation was entered and it was ordered that the products be destroyed.

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

26972. Misbranding of rubbing alcohol compound. U. S. v. 200 Dozen Bottles of Rubbing Alcohol Compound. Alco-Sponge-Rub Alcohol, and Dr. Ward's Rubbing Alcohol. Default decree of condemnation and destruction. (F. & D. no. 38336. Sample no. 13397–C.)

The articles labeled "Rubbing Alcohol Compound" and "Alco-Sponge-Rub Alcohol" consisted essentially of isopropyl alcohol and water; and the one labeled "Dr. Ward's Rubbing Alcohol" consisted essentially of isopropyl alcohol, acetone, and water. The package labels of all three failed to bear a statement of the quantity or proportion of isopropyl alcohol contained in the article.