

lized", was false and misleading in that it was not sterile, but was contaminated with viable micro-organisms.

On December 23, 1936, 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.*

26989. Adulteration and misbranding of sterilized bandages. U. S. v. 74 Packages of Home-Need Sterilized Bandage. Default decree of condemnation and destruction. (F. & D. no. 38798. Sample no. 6786-C.)

These bandages were represented to be sterile but were not sterile, since they contained viable aerobic and anaerobic micro-organisms, including a gas-forming species.

On December 11, 1936, 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 74 packages of Home-Need Sterilized Bandage at New Orleans, La., alleging that it had been shipped in interstate commerce on or about October 6, 1936, by the Reliable Merchandise Co., from Chicago, Ill., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Home-Need Sterilized Bandage."

The article was alleged to be adulterated in that its purity fell below the professed standard or quality under which it was sold, namely, "Sterilized Bandage", since it was not sterile but contained viable aerobic and anaerobic micro-organisms.

It was alleged to be misbranded in that the statement on the label, "Home-Need Sterilized Bandage", was false and misleading when applied to an article that was not sterile.

On January 6, 1937, 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.*

26990. Misbranding of Sphinx Herb Tea. U. S. v. 573 Packages of Sphinx Herb Tea. Default decree of condemnation and destruction. (F. & D. no. 38799. Sample no. 6684-C.)

The labeling of this preparation contained false and fraudulent curative and therapeutic claims.

On December 16, 1936, 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 573 packages of Sphinx Herb Tea at New Orleans, La., alleging that it had been shipped in interstate commerce on or about November 18, 1936, by the Argyle Laboratories from New York, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of senna leaves and pods with small amounts of fennel seed, anise seed, elder flowers, buckthorn bark, dog grass, orange peel, ginger root, and safflowers.

It was alleged to be misbranded in that the following statements appearing on the retail carton were statements regarding its curative or therapeutic effects, and were false and fraudulent: "Alterative * * * Through its laxative action aids in relieving—* * * Pimples Dizziness Toxemia Minor Eruptions Bad Breath Colitis * * * Digestive Disturbances Fatigue When due to faulty elimination or temporary constipation and because of its diuretic properties it tends to increase kidney and bladder elimination. * * * Formerly Called Munk's System Purifier Sphinx Herb Tea aids in stimulating the digestive organs and relieving the discomforts due to temporary constipation. * * * contains no injurious or habit forming drugs."

On February 6, 1937, 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.*

26991. Misbranding of Nasal Relief. U. S. v. 175 Cartons of Nasal Relief. Consent decree of condemnation. Product released under bond for relabeling. (F. & D. no. 38816. Sample no. 4976-C.)

The carton labels of this preparation failed to bear a statement of the quantity or proportion of chlorobutanol, a derivative of chloroform, contained in it;