

as a preventive of necro and to assist in curing and preventing necro in the intestines; and effective as a treatment for snuffles, green scours, loss of weight, necrotic enteritis, intestinal sores and ulcers, skin necro, and necrotic dermatitis. It was alleged to be misbranded further in that the statement "Potassium Iodide Wormseed", borne on the tag, was false and misleading since it represented that the article contained potassium iodide and wormseed; whereas it contained no potassium iodide and no wormseed.

On April 16, 1937, pleas of nolo contendere were entered on behalf of the defendants, and the court imposed a fine of \$25 and costs against each of the defendants, making a total fine of \$50 and costs.

H. A. WALLACE, *Secretary of Agriculture.*

27272. Misbranding of Mentho-Kerchief. U. S. v. 3,420 Packages and 108 Packages of Mentho-Kerchief. Consent decree of condemnation. Product released under bond to be relabeled. (F. & D. no. 38800. Sample nos. 26433-C, 26434-C, 26435-C.)

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

On December 15, 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 a libel praying seizure and condemnation of 3,420 10-cent packages and 108 25-cent packages of Mentho-Kerchief at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about December 3, 5, and 9, 1936, by the Rieser Co., Inc., from Shamokin, Pa., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of the product showed that it consisted essentially of tissue paper impregnated with menthol and other perfume materials.

It was alleged to be misbranded in that the following statements regarding its therapeutic and curative effects, appearing on the labeling, were false and fraudulent: (Envelope, 10-cent size) "Use For * * * Sinus and Hay Fever * * * Nothing like Mentho-kerchief to soothe all types of * * * Sinus Trouble and Hay Fever"; (carton, 25-cent size) "Use For * * * Sinus and Hay Fever * * * Aids for * * * Sinus—Hay Fever and All Nasal Irritations * * * Nothing like Mentho-Kerchief to soothe all types of * * * Sinus Trouble and Hay Fever."

On February 20, 1937, the Rieser Co., Inc., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of this Department.

H. A. WALLACE, *Secretary of Agriculture.*

27273. Adulteration and misbranding of Sealtex. U. S. v. 69 Boxes of Sealtex. Default decree of condemnation and destruction. (F. & D. no. 38854. Sample no. 25269-C.)

These adhesive plasters, represented on the label to be "Sterilized", contained viable aerobic and anaerobic bacteria.

On December 19, 1936, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 69 boxes of adhesive plasters labeled in part, "Sterilized Sealtex" at Milwaukee, Wis., alleging that they had been shipped in interstate commerce on or about November 6, 1936, by the Sealtex Corporation from Chicago, Ill., and charging adulteration and misbranding in violation of the Food and Drugs Act.

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", since it was not sterile but contained viable aerobic and anaerobic bacteria.

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

On April 19, 1937, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

H. A. WALLACE, *Secretary of Agriculture.*

27274. Misbranding of Victory Vapor Balm. U. S. v. 4,893 Packages and 10 Cartons of Victory Vapor Balm. Default decrees of condemnation and destruction. (F. & D. nos. 39045, 39184. Sample nos. 17859-C, 17867-C.)

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