

It was alleged to be misbranded further in that the statements, (carton) "The Mineral Oil Emulsion With Acidophilus * * * Dosage Adults: One to two tablespoonfuls twice a day. Children: One teaspoonful twice a day", were false and fraudulent since they created the impression that it was a therapeutically useful culture of acidophilus bacillus, whereas it was worthless as a culture of *Bacillus acidophilus* for therapeutic use. The article was alleged to be misbranded further in that the following statements on the carton, bottle label, and in an accompanying circular, regarding its curative or therapeutic effects, were false and fraudulent: (Carton) "For intestinal hygiene and any stomach or digestive disorder, such as constipation, auto-intoxication, indigestion and the like"; (bottle) "For Health make it a habit to evacuate the bowels at least twice every day"; (circular) "Hygem is an aid in promoting the practice of Intestinal Hygiene. Keeping the intestines free of accumulated waste food matter is of the utmost importance to the maintenance of health. If waste matter is allowed to stay in the bowels it becomes the breeding ground of bacteria which produce toxins (poisons) that are very destructive to body tissue, and which upset the normal functions of various organs in the body. * * * Hygem causes a normal bowel movement * * * the aciduric bacilli inhibits the growth of putrefactive bacteria and establishes a hygienic condition in the intestinal tract. * * * Hygem will assist you in establishing and maintaining this condition. Begin by taking one or two tablespoonfuls before retiring at night—regulate the amount so as to have two fully formed bowel movements every day. As the habit is established, gradually reduce the amount to a tablespoonful once or twice a week."

On April 12, 1937, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

27389. Misbranding of Allimin. U. S. v. 8 Small Packages and 11 Large Packages of Allimin. Default decree of condemnation and destruction. (F. & D. no. 39206. Sample no. 19447-C.)

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

On March 13, 1937, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 8 small packages and 11 large packages of Allimin at Sterling, Colo., consigned by the Van Patten Pharmaceutical Co., Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about January 15, 1937, and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that it consisted essentially of plant material including garlic.

The article was alleged to be misbranded in that the envelope containing the article and the accompanying leaflets, display material, and circulars bore false and fraudulent representations regarding its effectiveness in the treatment of high blood pressure and related conditions, auto-intoxication or self-poisoning, sick headaches, dizzy spells, shortness of breath, nervousness, dyspepsia, thoracic oppression, intestinal flatulence, and its effectiveness as an antiseptic, as a relief for coughs, and as an aid in the digestion and absorption of food.

On May 15, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

27390. Adulteration and misbranding of Estrone. U. S. v. 1 Package of Estrone. Default decree of condemnation and destruction. (F. & D. no. 39222. Sample no. 34997-C.)

This product had a potency of about 19 percent of that claimed on the label.

On March 15, 1937, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of one package of Estrone at Reading, Pa., alleging that it had been shipped in interstate commerce on or about November 10, 1936, by Endo Products, Inc., from New York, N. Y., and charging adulteration and misbranding 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, (carton and