

and oil; its effectiveness as a preventive of sexual diseases, and its effectiveness to stop the flow of blood from cuts or pimples. It also was charged to be adulterated and misbranded in violation of the Insecticide Act of 1910, reported in notice of judgment No. 1588 published under that act.

On August 11, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

27738. Misbranding of Sal-I-Can. U. S. v. 39 Bottles of Sal-I-Can. Default decree of condemnation and destruction. (F. & D. No. 39860. Sample No. 22743-C.)

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

On June 17, 1937, the United States attorney for the Middle District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 39 bottles of Sal-I-Can at Valdosta, Ga., alleging that the article had been shipped in interstate commerce on or about October 27, 1936, by Dr. J. L. Davis, Irvine, Fla., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of salicylic acid, alcohol, acetone, and water.

The article was alleged to be misbranded in that the bottle and carton and the circular contained in the carton, bore false and fraudulent representations regarding its effectiveness in the treatment of ground itch, ringworm, creeping eruption, infected wounds, tetter, bunions, tumors, eczema, old and new sores, nail wounds, water poison, cuts, punctured wounds, muck poison, barber's itch, bruises, burns, and all forms of skin diseases; and its effectiveness for sores and wounds on horses, and leeches in horses, mules, and colts.

On July 31, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

27739. Misbranding of Ru-Ma. U. S. v. 33 Bottles of Ru-Ma. Default decree of condemnation and destruction. (F. & D. No. 39933. Sample No. 49020-C.)

The labeling of this product contained false and fraudulent representations regarding its curative or therapeutic effects.

On July 6, 1937, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 33 bottles of Ru-Ma at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about May 13, 1937, by the Dr. Leonhardt Co. from Buffalo, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that it consisted essentially of an aqueous solution of iodides, salicylates, acetates, and a laxative plant drug.

The article was alleged to be misbranded in that the bottle label, carton, and a circular enclosed in the carton contained false and fraudulent representations regarding its effectiveness in the treatment of rheumatoid conditions, neuritis, neuralgia, gouty diathesis, aches, pains, stiffness, and soreness of muscles and joints.

On August 19, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

27740. Misbranding of Prieto Tonic. U. S. v. 50 Bottles of Prieto Tonic, (and 2 other seizure actions against the same product). Default decrees of condemnation and destruction. (F. & D. Nos. 39171, 39326, 39419. Sample Nos. 9580-C, 10181-C, 38808-C.)

This product was misbranded because of false and fraudulent curative or therapeutic claims in the labeling; and because it was labeled to convey the misleading impression that it was a remedy originating with the Indians, and composed of roots, herbs, and similar substances used by them.

On March 6, April 6, and April 24, 1937, the United States attorneys for the Northern District of California and the Southern District of California, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 50 bottles of Prieto Tonic at San Francisco, Calif., and 63 bottles of Prieto Tonic at Los Angeles, Calif.,

alleging that the article had been shipped in interstate commerce in various shipments on or about March 21, October 24, 1936, and March 8, 1937, by the Indian Laboratory Co. from Laredo, Tex., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Prieto Tonic * * * Made for [or "by"] Indian Laboratory Co., Laredo, Texas."

Analysis showed that the article consisted essentially of water, glycerin, alcohol, potassium iodide (approximately 9 grains per fluid ounce), sodium benzoate, and extracts of plant drugs including cinchona.

The article was alleged to be misbranded in that the following statements and design appearing in the labeling were false and misleading when applied to an article of the composition disclosed by the analysis: (All cartons and some circulars) Design of an Indian; (all cartons, in Spanish and English) "Tonic of Walnut, Mexican Herbs, Roots and Medicinal Extracts. * * * This Marvelous Tonic Was Used By the Indians For Many Years * * * Made From Mexican Herbs, Roots and Walnut-Bark and Medicinal Extracts"; (all bottles, in Spanish and English) "Composed of Walnut, Mexican Herbs and Roots and Medicinal Extracts"; (some bottles, in Spanish) "This Marvelous Tonic Was Used For Many Years By the Indians of Mexico"; (some circulars, in Spanish) "Tonic of Walnut * * * Take the real extract of black walnut"; (other circulars, in English) "Walnut Tonic"; (in Spanish) "Tonic of Walnut * * * the genuine extract of black walnut. The picture of the Indian who discovered it is on the bottle."

It was alleged to be misbranded further in that certain statements on the carton and bottle and in a circular shipped with it falsely and fraudulently represented that it was effective as a general alterative tonic, aperitive, and nerve sedative; effective to prevent insomnia, and to promote metabolism and the elimination of uric acid in the urine; effective to enrich the blood, restore the appetite, and awaken the functions of the organs; effective as a remedy to clean the bronchial tubes and lungs through expectoration; and effective in the treatment of stubborn and chronic coughs, boils, pimples, skin diseases and anemia, herpes, light ulcers and sores, and all troubles caused by systemic weakness.

On August 30, September 1, and September 7, 1937, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

27741. Misbranding of Whitmarsh Blood Elixir. U. S. v. 19 Bottles of Whitmarsh Blood Elixir. Default decree of condemnation and destruction.
(F. & D. No. 39418. Sample No. 14648-C.)

This product was misbranded because of false and fraudulent curative and therapeutic claims in the labeling. It was misbranded further because of failure to declare the quantity of alcohol present, since no statement appeared on the carton and the statement on the bottle was incorrect.

On April 27, 1937, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 19 bottles of Whitmarsh Blood Elixir at Toledo, Ohio, alleging that the article had been shipped in interstate commerce on or about November 7, 1936, by the Whitmarsh Laboratories from Adrian, Mich., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that it consisted essentially of water, alcohol (10 percent by volume), a small quantity of benzoic acid, and extracts of plant drugs including anise and an alkaloid-bearing drug.

The article was alleged to be misbranded in that its package failed to bear a statement on the label of the quantity or proportion of alcohol that it contained, since no declaration of alcohol appeared on the carton and that on the bottle label was incorrect. It was alleged to be misbranded further in that the following statements borne on the bottle and carton regarding its curative and therapeutic effects were false and fraudulent: (Bottle) "Blood Elixir * * * For poisoning, such as from ivy, oak, sumach, or other vegetable infection * * * For boils and pimples Add to the contents of one bottle of Whitmarsh Blood Elixir one teaspoonful of Fluid Extract of Arnica Flowers;" (carton label) "Blood Elixir * * * Recommended * * * in the treatment of skin afflictions such as itching eczema, ivy, oak, or sumach and other vegetable poisons absorbed