

provision for release under bond for relabeling. On April 15, 1938, the claimant having failed to file a bond for release of the product, it was ordered destroyed.

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

28307. Misbranding of Jim Wade Hygienic Powder. U. S. v. 89 Bottles of Jim Wade Hygienic Powder. Default decree of condemnation and destruction. (F. & D. No. 39244. Sample No. 21755-C.)

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

On March 22, 1937, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 89 bottles of Jim Wade Hygienic Powder at Beaumont, Tex., alleging that the article had been transported in interstate commerce from Shreveport, La., on or about November 25, 1935, for Jim Wade, Inc., by Jim Wade in person, and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of copper sulphate, zinc sulphate, and ammonium alum.

It was alleged to be misbranded in that the following statements in the labeling were statements regarding its curative or therapeutic effects, and were false and fraudulent: (Bottle) "Hygienic Powder"; (circular) "Hygienic Powder When used as directed, for vaginal douche or irrigation, it is very * * * soothing and healing to inflamed or irritated mucus membrane. It is highly recommended as a preventative and curative agent in vaginal irritations. Inflammations, ulcerated condition, vaginal discharges, soreness and heavy feelings due to swollen and irritated conditions of the femal organs. And for general feminine hygiene. Directions For vaginal douche or irrigation prepare as follows: Dissolve (one level teaspoonful) of Jim Wade Hygienic Powder in one-half gallon of water (warm water will give best results) and use a douche, one to three times daily."

On November 1, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

28308. Misbranding of Rx 444 For Males and Rx 333 For Females. U. S. v. Wallace N. Key, Arthur E. Fest, and Benjamin H. Hickman. Pleas of nolo contendere by Arthur E. Fest and Benjamin H. Hickman. Plea of guilty by Wallace N. Key. Total fines, \$600 and costs. (F. & D. No. 39447. Sample Nos. 13672-C, 13673-C.)

The labeling of these products contained false and fraudulent representations regarding their curative or therapeutic effects.

On July 8, 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 an information against Wallace N. Key, Arthur E. Fest, and Benjamin H. Hickman, of Chicago, Ill., alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about October 24, 1936, from the State of Illinois into the State of Louisiana of quantities of the drugs described above, which were misbranded. The articles were labeled in part: "Foundation Laboratories Chicago Illinois A Gland Food."

Analyses showed that the products consisted essentially of water, small amounts of phosphates, magnesium compounds, protein, and perfume and alcohol, the Rx 444 containing 40 percent and the Rx 333 containing 34 percent of alcohol.

The articles were alleged to be misbranded in that certain statements, designs, and devices regarding their therapeutic and curative effects, appearing in the labeling, falsely and fraudulently represented that the Rx 444 was effective as a health-giving force; effective to relieve and cure the worst symptoms of prostate gland trouble and to restore lost vitality, zest for joyful living, and youthful spirit and ambition; effective as a treatment, remedy, and cure for ailments due to a swollen prostate, such as frequent urination, backaches, pains in the limbs, restlessness, loss of sleep, pains in the pelvic region or perineum (crotch), prostatitis, nervous disturbances, feelings of depression, the "blues," disturbances of the reproductive system, neurasthenia, melancholia, irritated nerve centers, pains resembling sciatic rheumatism, disturbed digestion, and hindered bowel movements; effective as a treatment, remedy, and cure for restlessness, loss of sleep, loss of weight and grouchiness due to a congested prostate; effective to relieve prostate abnormalities resulting from its