

28346. Adulteration and misbranding of Horsford's Acid Phosphate. U. S. v. 34 Bottles of Horsford's Acid Phosphate. Default decree of condemnation and destruction. (F. & D. No. 40421. Sample No. 12046-C.)

This product contained fluorine in an amount sufficient to render it injurious to health when used according to directions. The labeling bore false and fraudulent curative and therapeutic claims and other misrepresentations.

On October 6, 1937, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 34 bottles of Horsford's Acid Phosphate at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about September 9, 1937, by the Rumford Chemical Works from Providence, R. I., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of water, phosphoric acid, the acid phosphates of calcium, magnesium, sodium, potassium, and iron, and 500 parts per million of fluorine.

It was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, fluorine, which might have rendered it injurious to health.

It was alleged to be misbranded in that the statement on the label, "A teaspoonful of Horsford's Acid Phosphate added to a glass of water with sugar makes a wholesome substitute for lemonade," was false and misleading as applied to an article of the composition disclosed by the analysis, and which contained 500 parts per million of fluorine.

It was alleged to be misbranded further in that the bottle label, wrapper, and circular contained false and fraudulent representations regarding its effectiveness as a tonic; its effectiveness in the treatment of mental, nervous, and physical exhaustion, distress after meals, wakefulness, brain fag, lassitude, irritability and seasickness, gastric pain caused by nerve fatigue, overwork, etc., exhaustion incident to hot weather, over-exertion of mind or body, inebriety and other excesses, immediate ill effects of tobacco, headaches due to exposure to the sun and heat; its effectiveness to assist digestion, to increase the secretive activity of the digestive organs, to mildly stimulate the flow of digestive juices from the salivary and gastric glands; and its effectiveness as a "builder-up" in run-down conditions following prolonged illness, failure of proper nourishment from food, loss of appetite, lassitude and weakened or impoverished nerve energy.

On October 25, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

28347. Misbranding of Knox-All Septo-Knox Tablets. U. S. v. 35 Boxes and 24 Boxes of Knox-All Septo-Knox Tablets. Default decree of condemnation and destruction. (F. & D. No. 39937. Sample No. 19982-C.)

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

On July 3, 1937, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 59 boxes of Knox-All Septo-Knox Tablets at Alta Vista, Iowa, alleging that the article had been shipped in interstate commerce on or about April 28, 1937, by the Knox-All Co. from Freeport, Ill., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of sodium sulphate, calcium sulphate, calcium carbonate, talc, starch, and a small amount of capicum.

It was alleged to be misbranded in that the following statements borne on the label, regarding its curative or therapeutic effects, were false and fraudulent: "Knox-All Septo-Knox The ideal treatment for all types of fowls in indicated diaretic conditions, sour crop, and wherever poor appetite may be conclusive evidence of needed stimulation. A positive preventative for coccidiosis and a complete eliminator for the same after it has been contracted. A non-poisonous compound * * * giving the desired results without the use of further curatives. Septo-Knox will care for the most stubborn cases of constipation caused by feeding highly concentrated mash. General Treatment Directions. Baby Chicks: One (1) tablet to each gallon of drinking water from date of hatch to twelve weeks. In indications of coccidiosis, use

(2) tablets per gallon of drinking water for ten days, then reduce to one tablet per gallon."

On December 8, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

28348. Misbranding of solution citrate magnesia. U. S. v. 174 Bottles of Solution Citrate Magnesia. Default decree of condemnation and destruction. (F. & D. No. 40968. Sample No. 60570-C.)

This product was labeled to indicate that it was a solution of magnesium citrate, a product recognized in the United States Pharmacopoeia; whereas it contained less magnesium citrate and less citric acid than prescribed in the pharmacopoeia.

On December 8, 1937, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 164 bottles of solution citrate magnesia at Albuquerque, N. Mex., alleging that the article had been shipped in interstate commerce on or about November 4, 1937, by the Larche Laboratories from Denver, Colo., and charging misbranding in violation of the Food and Drugs Act.

The article was alleged to be misbranded in that the statement "Solution Citrate Magnesia," blown into the bottle, was false and misleading and tended to deceive and mislead the purchaser into the belief that the article was solution of magnesium citrate, a drug recognized in the United States Pharmacopoeia; whereas it contained magnesium citrate corresponding to not more than 1.33 grams of magnesium oxide per 100 cubic centimeters and each 10 cubic centimeters of the solution contained citric acid equivalent to not more than 22.1 cubic centimeters of half-normal hydrochloric acid; whereas the pharmacopoeia provides that each 100 cubic centimeters of solution of magnesium citrate shall contain an amount of magnesium citrate corresponding to not less than 1.6 grams of magnesium oxide, and that 10 cubic centimeters of the solution shall contain citric acid equivalent to not less than 26 cubic centimeters of half-normal hydrochloric acid.

On January 10, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

28349. Misbranding of Nomoppin. U. S. v. 11 Bottles and 34 Bottles of Nomoppin. Default decree of condemnation and destruction. (F. & D. No. 40909. Sample Nos. 54356-C, 54357-C.)

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

On or about November 29, 1937, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 45 bottles of McMillan's Nomoppin at Augusta, Ga., alleging that the article had been shipped in interstate commerce on or about October 18, 1937, by the McMillan Drug Co. from Columbia, S. C., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of arsenic trioxide (2 grams per 100 cubic centimeters), a small proportion of potassium carbonate, and water.

It was alleged to be misbranded in that the bottle labels and a circular shipped with a portion of the article bore false and fraudulent representations regarding its effectiveness as an internal preventive and remedy for chicken sorehead and as a tonic.

On January 17, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

28350. Misbranding of Dr. Parker's Tablets. U. S. v. Dr. Parker Medicine Co., William E. Marsh, and William H. Harrison, Jr. Pleas of guilty. Fines, \$200 each, totaling \$600, and costs. (F. & D. No. 39834. Sample No. 43592-C.)

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

On December 4, 1937, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district