from the State of Illinois into the State of Texas, of quantites of Ourine Nasal Balm and Ourine Application for the Ears which were misbranded. The articles were labeled in part: "Prepared by Aurine Co. Chicago, Ill."

Analysis showed that the nasal balm consisted essentially of mineral oil containing small proportions of menthol and methyl salicylate colored with a green dye; and that the application for the ears consisted essentially of glycerin, boric acid, extracts of plant drugs, and volatile oils including oil of lavender.

The articles were alleged to be misbranded in that certain statements in the labeling regarding their therapeutic or curative effects falsely and fraudulently represented that they were effective to keep the nasal passages in a healthy condition, and to cleanse the nose and to check catarrhal conditions; and effective as a treatment, remedy, and cure for head noises, partial deafness, running ear, and buzzing and ringing of ears due to nasal catarrh and infections of the Eustachian tubes and middle ear; and that the nasal balm was effective to keep the nasal passages clean and germ free.

On December 14, 1937, pleas of nolo contendere were entered on behalf of the defendants and the court imposed a fine of $50 against each, a total of $200.

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

28363. Misbranding of Protex. U. S. v. 105 Packages of Protex. Consent decree of condemnation and destruction. (F. & D. No. 40451. Sample No. 42947-C.)

The label of this product contained false and fraudulent misrepresentations regarding its curative and therapeutic effects.

On October 8, 1937, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 105 packages of Protex at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about August 11 and 24, 1937, by the Tex Products Co. from Wheeling, W. Va., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of a small amount of a chlorine-liberating product in an effervescent base.

It was alleged to be misbranded in that the labeling contained false and fraudulent representations regarding its effectiveness in promoting health and in the treatment of vaginitis (inflammation of the vagina), metritis (inflammation of the neck of the womb), endometritis, or any of the following symptoms: Vaginal discharge, burning urine, backache, periodic headaches, nervousness, excitability, feeling of loneliness, dull pains in groin, loss of appetite, depleted energy, loss of weight, crinkly skin, lack of sexual desire, irregular or painful menstruation, premature menstruation, ulcers, cysts, ovarian disorders, enlarged or swollen womb, bladder disorders, irregularity at puberty or at menopause (change of life), low vitality, constipation, kidney and bladder disorders, dark, sallow complexion, pimples on face, neck and arms, languid, lifeless feeling, and other functional disturbances.

On January 28, 1938, the consignor having consented to the destruction of the product, it was condemned and ordered destroyed.

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

28364. Adulteration and misbranding of ether. U. S. v. 55 Cans of Ether. Default decree of condemnation and destruction. (F. & D. No. 40747. Sample Nos. 9630-C, 9642-C.)

Samples of this product were found to contain peroxide.

On November 12, 1937, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 55 cans of ether at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about May 7, 1937, by the Mallinckrodt Chemical Works from St. Louis, Mo., and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the test laid down in the said pharmacopoeia, and its own standard of strength, quality, and purity was not stated on the container.