

New Orleans, La., by the Tree of Life Tonic Co.; and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of the article showed that it consisted essentially of water, alcohol, and small proportions of salicylates, oil of peppermint, and extracts of plant drugs including a laxative plant drug.

The article was alleged to be misbranded in that it failed to bear on its label a statement of the quantity or proportion of alcohol contained therein.

It was alleged to be misbranded further in that the following statements falsely and fraudulently represented its curative and therapeutic effects since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle) "Tree of Life Tonic \* \* \* For Stomach, Blood, Liver and Kidneys Recommended for Indigestion, Swimming in the Head, Shortness of Breath, Biliousness, \* \* \* Palpitation of the Heart, Nervousness, Gas Causes all these troubles This tonic will relieve the cause"; (cartons) "Tree of Life Tonic \* \* \* Highly recommended as a stimulating and invigorating tonic to build up a general run down condition. \* \* \* Aids digestion: also eliminating nervousness. Recommended as a general cleanser of the system of all acids and gasses which arise from undigested foods. Highly beneficial for diabetic sufferers. Note: Diabetic sufferers write for full particulars \* \* \* Free from habit-forming drugs. \* \* \* Good for men, women and children."

On June 8, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered disposed of according to law.

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

**29023. Misbranding of Duray. U. S. v. Duray Laboratories, Inc., and Hunter Wilson. Plea of guilty by corporation and of nolo contendere by individual. Fines: Corporation, \$26 and costs; individual, \$2. (F. & D. No. 39768. Sample Nos. 31097-C, 32835-C.)**

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

On December 28, 1937, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Duray Laboratories, Inc., Seattle, Wash., and Hunter Wilson, president of the corporation; alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about July 2 and December 24, 1936, and February 25, 1937, from the State of Washington into the States of Oregon and Colorado, of quantities of Duray which was misbranded. The article was labeled in part: "Duray \* \* \* Prepared by Duray Laboratories, Inc., Seattle, Wash. \* \* \* look for the signature Hunter Wilson."

Analysis of a sample of the article showed that it consisted essentially of sodium borate containing small amounts of phenol, menthol, and ultramarine blue pigment.

The article was alleged to be misbranded in that statements in the labeling falsely and fraudulently represented its therapeutic and curative effectiveness as a treatment for difficult menstruation; its effectiveness to insure feminine hygiene, and as a treatment for certain female disorders, for common female disorders, amenorrhea, unnatural delayed period, suppression of the menses, dysmenorrhea, painful and difficult menstruation, leucorrhea, whitish, mucopurulent discharge and menopause; and its effectiveness to prevent infectious germs from entering the uterus through the Fallopian tubes and to ensure perfect vaginal cleanliness.

On June 11, 1938, a plea of guilty having been entered on behalf of the corporation, it was sentenced to pay a fine of \$26 and costs. A plea of nolo contendere having been entered by Hunter Wilson, he was sentenced to pay a fine of \$2.

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

**29024. Misbranding of Colac Pile Pills. U. S. v. 27 Bottles of Colac Pile Pills. Default decree of condemnation and destruction. (F. & D. No. 42260. Sample No. 22041-D.)**

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

On April 30, 1938, 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 27 bottles of Colac Pile Pills at Chicago, Ill., alleging that the article had been shipped in inter-