

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-

state commerce on or about August 13, 1937, from Brentwood, Md., by Vasco Products, Inc.; and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled: "Colac Chemical Co. Inc. * * * Brentwood, Md., U. S. A. Sole Proprietors."

Analysis of a sample of the article showed that it consisted essentially of extracts of plant materials, including a tar such as juniper tar, and magnesium and calcium oxides, coated with sugar, starch, iron oxide, and chocolate.

The article was alleged to be misbranded in that the following statements appearing in the labeling falsely and fraudulently represented the curative and therapeutic effectiveness of the article: (Bottle) "Colac Pile Pills * * * Highly recommended for all forms of piles of the rectum. * * * Swallow whole two pills three times daily before or after meals, until all symptoms have disappeared": (shipping carton) "Colac Pile Pills."

On June 15, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29025. Misbranding of santal oil capsules. U. S. v. 2 Shipments of Santal Oil Capsules. Default decree of condemnation and destruction. (F. & D. Nos. 42276, 42277. Sample Nos. 12581-D, 12583-D, 12699-D, 12700-D.)

This product was labeled to indicate that it was oil of santal; whereas it contained mineral oil, a terpeneol, a derivative of phthalic acid, and a benzyl compound—which are not normal ingredients of oil of santal—and otherwise failed to meet the pharmacopoeial tests for oil of santal.

On April 30, 1938, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 61,000 santal oil capsules at New York, N. Y.; alleging that the article had been shipped in interstate commerce on or about September 9, 1937, and April 11, 1938, by the Merz Capsule Co. from Detroit, Mich.; and charging misbranding in violation of the Food and Drugs Act.

The article was alleged to be misbranded in that it was an imitation of and was offered for sale under the name of another article.

On May 26, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29026. Adulteration of aromatic spirits of ammonia and sweet spirits of niter. U. S. v. 132 Bottles of Aromatic Spirits Ammonia (and one other seizure action). Default decree of condemnation and destruction. (F. & D. Nos. 42004, 42005. Sample Nos. 9659-D, 9859-D, 9860-D.)

These products were sold under names recognized in the United States Pharmacopoeia but contained less ammonia and ethyl nitrite, respectively, than specified by that authority. The sweet spirits of niter also contained less ethyl nitrite than declared on the label.

On March 25, 1938, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of a total of 492 bottles of aromatic spirits of ammonia and 276 bottles of sweet spirits of niter at Harrisburg, Pa.; alleging that the articles had been shipped in interstate commerce between October 14, 1937, and February 1, 1938, by C. F. Sauer Co. from Richmond, Va.; and charging adulteration in violation of the Food and Drugs Act.

The products were alleged to be adulterated in that they were sold under names recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the tests laid down therein and their own standards of strength, quality, and purity were not stated on the containers since one of the lots of aromatic spirits of ammonia contained not more than 1.635 grams of ammonia per 100 cubic centimeters, and the other lot contained not more than 1.31 grams of ammonia per 100 cubic centimeters and the samples examined from the latter lot contained not more than 2.2 and 2.9 grams of ammonium carbonate per 100 cubic centimeters, whereas the pharmacopoeia provides that aromatic spirits ammonia shall contain not less than 1.7 grams of ammonia and not less than 3.5 grams of ammonium carbonate per 100 cubic centimeters; the sweet spirits of niter contained not more than 2.1, 1.1, 2.0, 2.1, 1.8, 2.7, and 3.0 percent, respectively, of ethyl nitrite for the seven units examined, whereas the pharmacopoeia