

in interstate commerce on or about June 28, 1938, by the Luseaux Laboratories from Gardena, Calif.; and charging that it was misbranded in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted of mineral oil, a small amount of phenols, pine oil, and an essential oil.

The article was alleged to be misbranded in that the following statements on the label regarding its curative or therapeutic effects were false and fraudulent: "Germicidal Mist * * * This Mist is beneficial when properly and promptly used for Colds, Roup, and all Respiratory troubles in Poultry of all ages and for Snuffles in Rabbits. * * * Dry, dusty feed must be avoided in bronchial and nasal troubles, as well as dusty litter and yards. * * * It is necessary to reach the affected parts in each case before relief can be expected. Therefore, bad cases must be treated individually with the swab, atomizer or other means to convey the Mist to the congested parts. The ingredients used in this product have long been used in the treatment of bronchial and nasal troubles and we urgently insist on persistent treatment in bad cases and diligent preventive measures for flock protection. A stitch in time saves dollars and birds for the poultryman. * * * For swollen, watery eyes in chickens, turkeys and pigeons use a gun throwing a fine mist directly into their face while birds are on roost, * * * For bronchial trouble or difficult breathing use atomizer, forcing a mist down the throat and into the windpipe or with medicine tube or dropper place 2 to 5 drops directly into the windpipe. For cankers in eyes, cleft of mouth or throat, swab with mist undiluted, after removing as much of the cheesy matter as possible. * * * For Rabbits, spray them frequently; in bad cases, treat individually."

On March 25, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

31128. Misbranding of Arthox. U. S. v. 28 Bottles of Arthox. Default decree of condemnation and destruction. (F. & D. No. 40479. Sample No. 54814-C.)

The labeling of this product bore false and fraudulent representations regarding its curative and therapeutic effects and false and misleading representations regarding its ingredients. The labeling was further objectionable since it conveyed the impression that the article contained as its essential ingredient a compound of sulfur, iodine, and oxygen; whereas it did not.

On October 13, 1937, the United States attorney for the District of Rhode Island filed a libel against 28 bottles of Arthox at Providence, R. I., alleging that the article had been shipped in interstate commerce on or about July 26, 1937, by the Standard Laboratories, Inc., from Boston, Mass.; and charging that it was misbranded.

Analysis showed that the article consisted essentially of water with small proportions of sulfuric acid, hydrochloric acid, alcohol, and iodine, free and combined.

It was alleged to be misbranded in that the combination of letters "Sulfiodoxygenia" borne on the bottle label, created the impression that the article contained as its essential ingredient a definite compound of sulfur, iodine, and oxygen; whereas it did not contain as its essential ingredient a definite compound of sulfur, iodine, and oxygen. It was alleged to be misbranded further in that the following statements on the bottle label, regarding its curative or therapeutic effects, were false and fraudulent: "Arthox * * * For Arthritis Rheumatoid Conditions * * * Note:—Benefit is seldom experienced before taking two or more bottles."

On October 2, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

31129. Adulteration and misbranding of oil of eucalyptus and oil of sandalwood. U. S. v. H. C. Ryland, Inc., and Harry C. Ryland. Pleas of guilty. Fines, \$600. (F. & D. No. 42614. Sample Nos. 9181-D, 9600-D, 10575-D, 21202-D.)

This case involved oil of eucalyptus and oil of sandalwood, products recognized in the United States Pharmacopoeia, but the strength, quality, and purity of which differed from the standard laid down in the pharmacopoeia as determined by tests described therein.

On September 26, 1940, the United States attorney for the Southern District of New York filed an information against H. C. Ryland, Inc., New York, N. Y., and Harry C. Ryland, alleging shipment within the period from on or about February 19 to on or about April 2, 1938, from the State of New York into the

States of Pennsylvania, Texas, and Michigan of quantities of oil of eucalyptus and oil of sandalwood which were adulterated and misbranded.

The oil of eucalyptus was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, namely, "Oil of Eucalyptus"; but its strength, quality, and purity fell below the professed standard and quality under which it was sold since its congealing point fell below 15.4° Centigrade and its own standard of strength, quality, and purity was not stated on the label. It was alleged to be misbranded in that the statement "Oil Eucalyptus * * * U. S. P.," borne on the label, was false and misleading since it represented that the article was oil of eucalyptus of U. S. P. standard; whereas it fell below such standard.

The oil of sandalwood was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia but differed from the standard of strength, quality, and purity as determined by the tests laid down in the pharmacopoeia for sandalwood oil; and fell below the professed standard and quality under which it was sold but its own standard of strength, quality, and purity was not stated on the label. It was alleged to be misbranded in that the statement "Oil Sandalwood E. I. U. S. P.," borne on the can label, was false and misleading since it represented that the article was East Indian sandalwood oil of pharmacopoeial standard; whereas it fell below such standard. It was alleged to be misbranded further in that it was an imitation of and was offered for sale under the name of another article, namely, "Oil Sandalwood * * * U. S. P."

On November 8, 1940, pleas of guilty having been entered, the court imposed fines totaling \$600.

31130. Misbranding of Superchlor Klo-Rid. U. S. v. Patterson Laboratories, Inc. Plea of guilty. Fine, \$50. (F. & D. No. 42796. Sample No. 55863-D.)

The labeling of this product bore false and fraudulent curative and therapeutic claims for both human and veterinary use.

On April 25, 1940, the United States attorney for the Eastern District of Michigan filed an information against the Patterson Laboratories, Inc., Detroit, Mich., alleging shipment on or about June 8, 1939, from the State of Michigan into the State of Indiana, of a quantity of Superchlor Klo-Rid which was misbranded in violation of the Food and Drugs Act as amended.

Analysis showed that the article was a solution containing not more than 2.37 percent of sodium hypochlorite.

The article was alleged to be misbranded in that statements in the labeling, regarding its curative and therapeutic effects, falsely and fraudulently represented that it was effective as a preventative and in the elimination or spread of contagious or infectious diseases; effective to disinfect open wounds, sore itching feet, skin irritations from poison ivy, rusty nail, insect or animal bite, athlete's foot, ringworm, ingrown toe nail, cuts, scratches, burns, soft corns, or other irritations; effective as a treatment for sore throat, canker, cold sore, mouth infection, and trench mouth; effective as a sexual disinfectant and to relieve irritation from discharge; effective as a preventive of infections resulting from handling and eating wild and domestic meats; effective as a treatment for open sores, mange, skin eruptions, distemper, vent disease, ulcer abscess, sore eyes, and ear canker; effective to prevent colds, infectious bronchitis, pneumonia or other diseases, and to destroy mites in horses, dogs, pets, and fur-bearing animals; effective as a preventive of cholera and other disease, and as a treatment for sore hoofs in hogs; effective as a treatment for open wounds, warts, contagious abortion, and retained afterbirth in cattle; effective as a sheep dip, to destroy mites, nits and scabby matter after shearing; effective as a preventive of roup, canker, pip, diphtheria, chickenpox, or other head and throat trouble, coccidiosis, blackhead in turkey, dysentery, white diarrhoea; effective to thoroughly disinfect the internal organs and to insure a healthy condition in poultry; and effective as a preventive of diseases of animals, pets, poultry, and other fowl.

On June 4, 1940, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$50.

31131. Misbranding of Enrich Organic Iron Hematinic. U. S. v. 156 Bottles of Enrich Organic Iron Hematinic. Default decree of condemnation and destruction. (F. & D. No. 44766. Sample No. 51200-D.)

This product contained insufficient iron to warrant the designation "Organic Iron Hematinic," and its labeling bore false and fraudulent curative and therapeutic claims.