result in vigorous health of the user, whereas the article would not have such effect.

DISPOSITION: March 15, 1948. Default decree of condemnation and destruction.

2431. Misbranding of millet cereal. U. S. v. 38 Cases, etc. (and 1 other seizure action). (F. D. C. Nos. 24118, 24172. Sample Nos. 9271–K, 15106–K, 15107–K.)

LIBELS FILED: December 9 and 12, 1947, Northern District of Illinois and Eastern District of New York.

ALLEGED SHIPMENT: On or about October 7, 9, 15, and 30, 1947, by the Red Mill Products Co., from St. Paul, Minn.

PRODUCT: 38 cases and 50 cases of *millet cereal* at Chicago, Ill., and Brooklyn, N. Y., respectively, together with a number of accompanying leaflets entitled "Red Mill Proso Millet Cereal." Each case contained 12 1-pound packages. Examination showed that the product was ground millet.

LABEL, IN PART: "Red Mill Proso Millet Cereal."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the leaflets were false and misleading since they represented and suggested that the article would furnish substantial quantities of all essential food elements; and that it would be effective to improve health, to build firm, healthy flesh, to insure vigor and energy, to prevent all chronic diseases, to prevent cancer, tuberculosis, and soft teeth, to provide minerals important to the body not provided by a good varied diet, and to build tall, sturdy bodies. The article would not furnish substantial quantities of all essential food elements, and it would not be effective for the purposes represented.

The article was alleged also to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: January 29 and March 8, 1948. Default decrees of condemnation and destruction.

2432. Misbranding of Pyo-Gon. U. S. v. 57 Bottles, etc. (F. D. C. No. 24382. Sample No. 28035–K.)

LIBEL FILED: March 30, 1948, District of Colorado.

ALLEGED SHIPMENT: From Los Angeles, Calif., by Pyo-Gon Laboratories, Inc. The product was shipped on or about February 16, 1948, and a number of folders and leaflets were shipped on or about December 18, 1947.

PRODUCT: 57 1-pint bottles of *Pyo-Gon* at Denver, Colo., together with a number of folders entitled "Doctor, are you up a Stump?" and leaflets outlining reports from various commercial laboratories and colleges.

LABEL, IN PART: "Pyo-Gon * * * Contains the following per 1000 cc: Chondrus . . . 7 gms Phenol Iodine Iodophenols . . . 20 cc Boric Acid . . . 7 gms Oil of Eucalyptol Oil of Peppermint Methyl Salicylate . . . 0.06 cc Tincture Metaphen . . . 0.2 cc."

NATURE OF CHARGE: Misbranding, Section 502 (a), the statements "Pyo-Gon" and "Antiseptic Analgesic" on the label, and representations in the folders and leaflets were false and misleading. These statements represented and suggested that the article would cause pus to go; that it possessed germicidal and significant antiseptic properties; that it was an effective treatment for nonresponding inflammation, irritation, or infection, dermatitis, X-ray lesions, fissure, fistula, colitis, amoeba infections, congestion and infection in malignancy areas, conjunctivitis, iritis, corneal ulcers and injuries, chemical burns, otitis media and external, sinusitis, tonsillitis, laryngitis (acute), gonorrhea, leucorrhea, trichomonas, endometritis, cervicitis, cystitis, prostate inflammation, erysipelas, gangrene—toxic, diabetic or arterial obliterans, carbuncles, furunculosis, abscesses, ulcerations, and bed sores; that it would aid in protecting adjacent tissues against mixed infections in malignancy and would aid in venereal prophylaxis; that it would prevent stitch abscesses; that it would aid in the prevention of influenza, intestinal type of influenza, intestinal and focal toxemia, arthritis (toxic) gastric ulcer, duodenal ulcer, thyroid deficiency, and cystic goiter; that it was effective as a germicide both internally and externally; that it possessed surface analgesic and healing properties; that it would promote rapid healing; and that its use would render unnecessary sterilization of dressings. The article did not possess germicidal or significant antiseptic properties; its use would not render unnecessary sterilization of dressings; and it would not be effective for the purposes represented.

DISPOSITION: May 25, 1948. Default decree of condemnation and destruction.