

**17156. Adulteration and misbranding of antiseptic gargle. U. S. v. 23½ Dozen Bottles of Antiseptic Gargle. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23062. I. S. No. 01968. S. No. 1133.)**

On September 13, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, a libel praying seizure and condemnation of 23½ dozen bottles of antiseptic gargle at Chicago, Ill., alleging that the article had been shipped by the Frazier Tablet Co., from Brooklyn, N. Y., August 10, 1927, and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of small amounts of phenol, tannin, glycerin, and alcohol, and water, flavored with oil of peppermint. Bacteriological examination showed that the article was not antiseptic in the dilutions recommended upon the label.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold (wrapper) "Antiseptic."

Misbranding was alleged for the reason that the following statements regarding the curative or therapeutic effects of the article appearing on the containers and in the accompanying circular (bottle label) "An \* \* \* effective tonic for the fauces, gums, and pharynx. It should be used constantly in presence of infection of any kind, and it is an invaluable prescription in the treatment of the various sore throats which are encountered. \* \* \* Antiseptic \* \* \* As a daily antiseptic and tonic mouth wash for children or nurses exposed to infection, dilute with an equal portion of water," (carton label) "Antiseptic \* \* \* Results of Twenty Years' Use \* \* \* An \* \* \* effective tonic for fauces, gums, and pharynx. I use it constantly in presence of infection of any kind, and it is my stock prescription in the various sore throats we encounter," and (shipping carton) "Antiseptic," were false and fraudulent in that the said statements were applied to the article so as to represent falsely and fraudulently that it was effective as a remedy for the diseases, ailments, and afflictions mentioned therein. Misbranding was alleged for the further reason that the statement on the wrapper of the article, to wit, "Antiseptic," was false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing antiseptic effects.

On April 16, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17157. Misbranding of Oculum. U. S. v. 1 11/12 Dozen Small Sized, et al., of Oculum. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22932. S. No. 977.)**

On July 31, 1928, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 11/12 dozen small-sized bottles, 11/12 dozen large-sized bottles, and 1 gallon jug of Oculum, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Hancock Inoculum Co., from Salem, Va., on or about July 9, 1928, and transported from the State of Virginia into the State of Maryland, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of oil of turpentine colored with a yellow dye.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label, large and small sizes) "A germicide that takes the place of all Tonics and Remedies for Fowls and Animals. Beneficial in disease and a preventive. Feed it for More Eggs, Meat and Milk. Inject it (in the rectum) to relieve disease \* \* \* In Sickness;" (carton, large and small sizes) "A Germicide 'Oculum' The Greatest Poultry Tonic on Earth a Remedy and Preventive for Cholera, Roup, White Diarrhea and Sore Head, Also Relieves Gapes \* \* \* It is to be used only for the diseases for which it is intended and as a tonic.

If you do not get results, \* \* \* Inoculate your chicks and chickens with 'Oculum' and keep them well. \* \* \* 'Oculum,' the only remedy used by the way of inoculation. Your fowls properly inoculated with "Oculum" will be relieved if suffering from Cholera, White Diarrhea, Roup or Sore Head. If inoculated as a preventive four times a year, your fowls will be protected from these diseases, and will lay many more eggs per year. Inoculate your fowls and get lots of eggs. Don't wait until they get sick. Use 'Oculum' and get healthy fowls and healthy eggs;" (circular) "Beneficial for Animals and for Fowls in Bowel Trouble, Roup, and Diarrhea \* \* \* Often doubles egg yield, makes meat juicy. Makes roosters fertile and chicks grow big. Increases weight from ½ to 2 lbs. according to breed. \* \* \* Coccidium Tenellum is the U. S. Government's name for a germ which attacks the intestines of fowls—'Oculum' is based on the theory of Coccidiosis. 'Oculum' relieves, not only in chickens, but turkeys, ducks, geese, and other fowls. 'Oculum' is Used on Fowls in Two Ways. 1st. Feed It to Increase the Size of fowls and augment Egg Production \* \* \* For quick results, feed 'Oculum' and inoculate too. 2nd. If Fowl Is Sick, inoculate the fowl by Injection 'Oculum' \* \* \* 'Oculum' may be successfully used in water; put in 10 drops to the quart of water daily for 30 days as a tonic. \* \* \* How to Get Fertile Eggs. Feed 'Oculum' to your mating birds, also inoculate the roosters and hens, while mating and you will get strong fertility, even during the winter and early spring. \* \* \* Inject 'Oculum' according to directions in this booklet for various diseases \* \* \* Diarrhea or Bowel Trouble \* \* \* In severe cases it may be necessary to repeat this operation 2 or 3 times. Roup \* \* \* Always inoculate before shipping fowls. They will keep well and bring the top of the market. Inoculate all fowls brought to your place. This will prevent them bringing diseases. \* \* \* It has become a household remedy for many. Taken internally 6 to 10 drops daily on a little sugar for several days, it relieves lumbago. It is fine to mop out a sore-throat and for chapped hands. \* \* \* 'Oculum' is invaluable, it will cure Chronic Roup. \* \* \* There is no doubt but that you have one of, if not the greatest poultry remedies ever brought out. \* \* \* 'Oculum' appears to be the long needed remedy. \* \* \* 'Oculum' works like magic. I saved between \$80.00 and \$100.00 worth of turkeys with 'Oculum.' \* \* \* I cured a \$200.00 cock bird that had an incurable case of Canker and also the worst case of chickenpox I ever saw, with 'Oculum.' Have bred fancy poultry 12 years, but never found a remedy equal to 'Oculum.' \* \* \* It's best remedy on the market today. \* \* \* Author of Poultry Disease and their Remedies. Oculum is effective for Bowel Trouble in pigeons. \* \* \* 'Oculum' is not only the best, but the surest cure for Roup, Colds, and Chick Diarrhea. \* \* \* I fed 'Oculum' to 48 Leghorns 24 days and eggs increased from 8 to 42 a day. I set 15 under a hen and got 15 chicks, set 255 in incubator got 234 chicks, and 'Oculum' is the cause of it all. \* \* \* I recommended 'Oculum' and cited my own experience as proof that it would make hens lay. \* \* \* I attended dozens of poultry shows and treated thousands of chickens and chix for Roup, Diarrhea and the other germ diseases. I saved 90 per cent of all Chix of Diarrhea. I did not lose a single case of Bowel Trouble and I treated hundreds. I saved 75 per cent of all Roup and Canker cases and some of the worst cases I ever saw. \* \* \* They were so near dead with Bowel Trouble that they could not move or open their eyes. The Company inoculated them with Oculum at 3.30 p. m. Friday, Oct. 21, 1910. We saw them and thought they could not possibly live until the following morning. They lay in a comatose condition until Sunday evening (over forty hours), before either one opened its eyes. These two chickens are now perfectly well and in fine condition. Restoring these two fowls to health by the use of Oculum alone was truly a wonder to us. \* \* \* 'Oculum' is a Scientific Germicide. It Keeps Animals Healthy at Small Cost \* \* \* Hogs, Sheep, Horses, and Cattle have been Quickly Relieved. It reduces your feed bills. \* \* \* For Meat And Milk \* \* \* When Animal Is Sick: Double the dose in the feed and, if no improvement results in two days, continue the double dose daily, and also inject animals under 50 pounds live weight from 6 to 20 drops daily and one drop extra for each additional 50 pounds weight until animal is better. \* \* \* Keep sick animal Dry and do Not Feed it until it starts to improve, only a little water. \* \* \* During the Spring of 1915, I lost 34 out of 45 shoats with a pronounced diarrhea. In May I got 'Oculum' and treated two that were real sick with it.

I inoculated them twice, they got well within one week. I then fed all the surviving 11 'Oculum' in the slop and they have never been sick a day since. In June they rooted up one of the dead hogs and had eaten it partly up, when I discovered them. I fed them more 'Oculum' and not one got sick, though I thought they would get sick and die. They now, Aug. 11, average 250 lbs. and run in the same field where 34 died. 'Oculum' cut the feed bill 15 per cent. \* \* \* I had two old ewes terribly run down in condition; I fed them 'Oculum' and they soon got real fat. 'Oculum' made my hogs very fat. \* \* \* I am satisfied 'Oculum' will relieve Pneumonia in hogs when taken in time. We saved three out of five by use of 'Oculum.' \* \* \* I am pleased to report Annie Rosarie, 194379, for which I refused \$2,000, has been restored by 'Oculum' to her normal self. The treatment is a marvelous one. \* \* \* This was as bad a case of Running Off of the Bowels as I ever saw."

On March 12, 1930, the claimant, M. G. McClung, Salem, Va., having failed to appear, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17158. Adulteration and misbranding of culture A Bacillus bulgaricus. U. S. v. 11 Packages of Culture A Bacillus Bulgaricus Metchnikoff. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24536. I. S. No. 029001. S. No. 2842.)**

On February 18, 1930, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 packages of culture A Bacillus bulgaricus Metchnikoff, remaining in the original unbroken packages at Paterson, N. J., alleging that the article had been shipped by the Ferment Co., New York, N. Y., on or about January 27, 1930, and transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Examination of a sample of the article by this department showed that it contained no viable lactobacilli.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold, namely: (Carton label) "Cultura A. Bac. Bulg. A. (Metchnikoff), Bac. Bulg. B. (B. Acidophilus), Bac. Paralacticus, Liq. Ananassae Sativae, Liq. Citri Decumanae;" (yellow leaflet) "Culture A Bacillus Bulgaricus, Metchnikoff containing the strain of Bacillus Bulgaricus selected, studied and recommended by Professor Elie Metchnikoff, together with a specially selected strain of B. Acidophilus for the modification of the intestinal microbic flora."

Misbranding was alleged for the reason that the above-quoted statements appearing on the carton label, and the accompanying yellow leaflet, were false and misleading. Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Yellow leaflet) "Remedial in the treatment of ailments caused by intestinal auto-intoxication \* \* \* In mild cases of intestinal putrefaction it is advisable to begin with two or three tubes per day, \* \* \* This may be reduced to one per day after the symptoms have disappeared. If severe symptoms are presented or if the condition is one of long standing, as many as six tubes per day should be taken."

On March 31, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17159. Adulteration and misbranding of antiseptic gargle. U. S. v. 10 Dozen Bottles of Antiseptic Gargle. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23061. I. S. No. 02086. S. No. 1063.)**

On September 13, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 dozen bottles of antiseptic gargle at Chicago, Ill., alleging that the article had been shipped by Morgenstern & Co., from New