

"It is by the court ordered that the motion of George H. Lee Co. for release of goods for the purpose of relabeling under the provisions of the food and drugs act, be and the same is hereby denied.

"And it further appearing that George H. Lee Co., although it had notice of the seizure and the pendency of this action, has suffered a decree of default and of condemnation and forfeiture to be entered herein, good cause appearing therefor,

"It is by the court ordered that the motion of George H. Lee Co. for an order of release of the seizure filed October 26, 1931, and the affidavit in support thereof, filed the same date, and the amended claim and affidavit in support of the motion for release, filed November 4, 1931, be and the same are hereby ordered stricken from the files, and

"It is further ordered, adjudged, and decreed that George H. Lee Co. and Union Indemnity Co. pay to the United States the storage costs from August 3, 1931, to date of entry hereof, to be taxed by the clerk in the sum of \$50.70, and that libellant have execution therefor.

"Exception allowed petitioner, George H. Lee Co."

ARTHUR M. HYDE, *Secretary of Agriculture.*

18927. Adulteration and misbranding of Sozodont liquid. U. S. v. 38 Packages of Sozodont Liquid. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26811. I. S. No. 22842. S. No. 4986.)

Examination of samples of Sozodont liquid having shown that the carton label bore statements representing that the article possessed curative and therapeutic properties that, in fact, it did not possess, also that it was represented to be an antiseptic, whereas it was not, the Secretary of Agriculture reported to the United States attorney for the Northern District of California the interstate shipment herein described, involving a quantity of the product located in San Francisco, Calif.

On July 27, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 38 packages of Sozodont liquid, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by Hall & Ruckel (Inc.), from New York, N. Y., on or about March 7, 1931, and had been transported from the State of New York into the State of California, 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 glycerin, borax, soap, alcohol, and water, flavored with volatile oils including menthol and methyl salicylate, and colored with a red dye. Bacteriological examination showed that the article was not antiseptic.

It was alleged in the libel that the article was adulterated in that it was sold under the following standard of strength, "Antiseptic," when in truth and in fact the strength of the article fell below such professed standard, since it was not antiseptic.

Misbranding was alleged for the reason that the statement on the carton and bottle label, "Antiseptic," was false and misleading. Misbranding was alleged for the further reason that the statements, "Sozodont Liquid is a good medium for use in massaging the gums. The Gums should be thoroughly massaged to reduce the chances of Pyorrhoea. * * * Penetrates The Crevices Where Decay Starts," appearing on the carton label, were statements concerning the curative or therapeutic effects of the article, and were false and fraudulent, in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 30, 1931, 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.*

18928. Adulteration and misbranding of Lavodin. U. S. v. Twenty-four 16-Ounce Packages, et al., of Lavodin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26823. I. S. No. 11161. S. No. 4991.)

Examination of a drug product, known as Lavodin, from the shipment herein described showed that the carton and bottle label and an accompanying circular contained statements representing that the article possessed curative and

therapeutic properties which, in fact, it did not possess. The article was also represented to be an antiseptic, whereas it was not.

On August 3, 1931, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of twenty-four 16-ounce packages, eighteen 8-ounce packages, and forty-two 4-ounce packages of the said Lavodin, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Lavodin Co., from Oakland, Calif., in part on or about January 22, 1931, and in part on or about March 17, 1931, and had been transported from the State of California into the State of Oregon, 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 proportions of potassium iodine, sodium chloride, borax, cassia oil, and glycerin, alcohol (7.9 per cent), and water, colored with a red dye. Bacteriological examination showed that the article was not antiseptic.

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) "An Ideal Antiseptic * * * No Germ Can Live In It;" (bottle) "No Germ Can Live In It. * * * An Iodine Antiseptic;" (circular) "An Iodine Antiseptic * * * No Germ Can Live In It."

Misbranding was alleged for the reason that the following statements appearing in the labeling were false and misleading: (Carton) "An Ideal Antiseptic * * * No Germ Can Live In It. * * * tests by reputable laboratories show that no germ can live in it;" (bottle) "No Germ Can Live In It. * * * An Iodine Antiseptic * * * prevents the Germ Laden Toothbrush, * * * tests by reputable laboratories show that no germ can live in it;" (circular) "An Iodine Antiseptic * * * allowing it sufficient time to produce its * * * antiseptic action. * * * by its wonderful * * * antiseptic action. It also guards against the germ-laden tooth brush. * * * The originator of this iodine antiseptic is a physician and surgeon, and also a chemist. After eleven years of study in compounding this iodine solution, he has secured the desired results by producing an antiseptic that, according to laboratory tests, shows that 'No Germ Can Live In It.' * * * Lav-O-Din is an antiseptic needed in every household. Its uses are many because of the antiseptic and healing qualities of this product. In order to combat disease the germ must be destroyed. 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: (Carton) "For Pyorrhoea * * * trench mouth, spongy and bleeding gums full strength—hold in the mouth from 3 to 5 minutes or apply on affected parts with gauze well saturated, allowing it sufficient time to produce its * * * antiseptic action. * * * As a Spray—Prevents Infection * * * Retards tooth decay and receding gums by its wonderful * * * antiseptic action. Also prevents the Germ Laden Toothbrush, which is a menace to the health of the gums. * * * For infections, wounds, cuts, boils, abscesses, carbuncles, running sores, * * * erysipelas, itching eczema, * * * In sore throat, tonsillitis, quinsy * * * Nasal catarrh;" (circular) "Sore Throat, Quinsy, Tonsillitis, Acute and Chronic Inflammation of the Throat. * * * Bleeding Gums * * * Pyorrhoea, Trench Mouth, * * * Spongy * * * Gums Use Lav-O-Din 25 per cent to full strength as a mouth wash, retaining from three to five minutes. Or apply full strength with gauze well saturated, allowing it sufficient time to produce its * * * antiseptic action. * * * It retards tooth decay and receding gums * * * Prevent Pyorrhoea by using Lav-O-Din daily and visiting your dentist four times a year. * * * Cuts and Wounds. Lav-O-Din is valuable as a first aid in case of accident. Leaving an infection is dangerous. Use Lav-O-Din as a moist dressing, full strength, * * * Nasal Conditions, Nasal Catarrh, Hay Fever, * * * And all Infections of the Nasal Cavity * * * Guard Against Disease in Time of Epidemics. Use Lav-O-Din as a spray in oral and nasal cavities;" (bottle) "For pyorrhoea, trench mouth, * * * spongy and bleeding gums, full strength—hold in the mouth from 3 to 5 minutes or apply on affected parts with gauze well saturated, allowing it sufficient time to produce * * * antiseptic action. * * * Retards tooth decay and receding

gums by its wonderful * * * antiseptic action. Also prevents the Germ Laden Toothbrush, which is a menace to the health of the gums. * * * For infections, wounds, cuts, boils, abscesses, carbuncles, running sores, * * * erysipelas, itching eczema, piles in all forms, * * * In sore throat, tonsillitis, quinsy * * * Nasal catarrh."

On November 7, 1931, 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.*

18929. Misbranding of Teethina. U. S. v. 59 Dozen Boxes of Teethina. Default decree of destruction entered. (F. & D. No. 26852. I. S. No. 36610. S. No. 5018.)

Examination of a drug product, known as Teethina, from the shipment herein described having shown that the carton and box labels and the accompanying circular contained statements representing that the article possessed curative and therapeutic properties which, in fact, it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Mississippi.

On August 10, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 59 dozen boxes of the said Teethina, remaining in the original unbroken packages at Meridian, Miss., alleging that the article had been shipped by the C. J. Moffett Medicine Co., from Columbus, Ga., on or about June 23, 1931, and had been transported from the State of Georgia into the State of Mississippi, 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 bismuth subnitrate, calcium carbonate, sodium citrate, and calomel, flavored with ground cinnamon.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the circular were false and misleading: "It is * * * harmless, * * * 'Teethina' * * * is guaranteed to contain no harmful drugs of any description—it is so safe and harmless, * * * that mothers may use it freely with their babies from infancy until they get in their teens." Misbranding was alleged for the further reason that the following statements appearing on the display carton and box labels and in the accompanying circular, regarding the curative or 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: (Display carton) "Teethina Soothing Relief for Teething Babies * * * Safe soothing relief for teething babies and young children;" (box) "Teething Powders Teethina * * * Directions: * * * Diarrhea—Children under 2 yrs. 1 powder every 4 hrs. until bowels are checked, * * * If child is over 2 yrs. give 1 powder every 3 hrs. until same result is obtained. Cholera Morbus—One powder every 2 hours until vomiting and purging ceases or child becomes quiet. Colic—Infants and children subject to frequent attacks, one powder two or three times a week, until the tendency to this painful trouble is overcome. When children are Fretting, Tossing and Wakeful at night from Worms or other irritations, give a powder every few nights until child rests quietly;" (circular) "For Diarrhea. Children under two (2) years of age, one (1) powder should be given every four hours until the bowels are checked, * * * If the child is over two (2) years old, give one (1) powder every three hours until the same result is obtained. For Cholera Morbus. Give one powder every two (2) hours until the vomiting and purging ceases or the child becomes quiet and rests. For Colic. To infants and children subject to frequent attacks of Colic, give a powder two or three times a week, until the tendency to this painful trouble has been overcome. Worms and Other Irritations. When children are fretting, tossing and wakeful at night from a tendency to Worms or other irritations, give a powder every few nights until the child rests quietly. * * * Mother's baby is mother's prize possession, and she wants to be assured that whatever she gives baby will not only bring relief."

On September 30, 1931, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*