

alkaloids of belladonna leaf per 100 cubic centimeters; whereas the pharmacopoeia provides that 100 cubic centimeters of the article shall yield not more than 0.033 gram of the alkaloids of belladonna leaf. It was alleged to be misbranded in that the following statements borne on the bottle label were false and misleading: "Tincture of Belladonna Leaves (Tinctura Belladonnae Foliorum) U. S. P. * * * Standard—0.027 Gm. to 0.033 Gm. total alkaloids per 100 mls."

The ephedrine inhalant (nebula ephedrinae) was alleged to be adulterated in that it was sold under a name recognized in the National Formulary but differed from the standard of strength, quality, and purity as determined by the tests laid down therein, in that each 1,000 grams of the article contained not more than 6 grams of ephedrine; whereas the formulary provides that the article contain not less than 10 grams of ephedrine in each 1,000 grams. It was alleged to be adulterated further in that its strength and purity fell below the professed standard and quality under which it was sold, since it was represented to contain 1 percent of ephedrine; whereas it contained not more than 0.6 percent. It was alleged to be misbranded in that the statement, "(Nebula Ephedrinae) N. F. VI Contains Ephedrine 1%," borne on the bottle label, was false and misleading.

The elixir iron, quinine, and strychnine was alleged to be adulterated in that it was sold under a name recognized in the National Formulary, but differed from the standard of strength, quality, and purity as determined by the tests laid down therein, since it contained not less than 7.618 grams of anhydrous quinine and strychnine per each 1,000 cubic centimeters of the article; whereas the formulary provides that the article shall contain in each 1,000 cubic centimeters quinine hydrochloride and strychnine sulfate equivalent to 6.675 grams of anhydrous quinine and strychnine. It was alleged to be misbranded in that the statement, "Elixir Iron, Quinine and Strychnine (Elixir Ferri Quinine Et Strychnine) N. F. VI," borne on the bottle labels, was false and misleading.

On October 9, 1939, a plea of guilty having been entered, the court imposed a fine of \$150.

GROVER B. HILL, *Acting Secretary of Agriculture.*

30970. Adulteration and misbranding of prophylactics. U. S. v. 3½ Gross, 2½ Gross, and 2 Gross of Prophylactics. Default decree of condemnation and destruction. (F. & D. Nos. 45402, 45403, 45404. Sample Nos. 54901-D, 54902-D, 54903-D.)

Samples of this product were found to be defective in that they contained holes.

On May 24, 1939, 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 7½ gross of prophylactics at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about April 4, 1939, by Olympia Laboratory from Atlanta, Ga.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Club House Brand"; or "Peerless Brand."

It was alleged to be adulterated in that its strength fell below the professed standard or quality under which it was sold.

The article was alleged to be misbranded in that the following statements appearing on the packages were false and misleading: "Choicest grade of materials * * * Represent the highest quality * * * For the prevention of contagious diseases."

On July 31, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

GROVER B. HILL, *Acting Secretary of Agriculture.*

30971. Misbranding of Foltis Juice-O-Veg. U. S. v. Juice-O-Veg, Inc. Plea of guilty. Fine, \$100. (F. & D. No. 38616. Sample No. 60192-B.)

False and fraudulent curative and therapeutic claims were made for this product in its labeling.

On May 18, 1939, 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 an information against Juice-O-Veg, Inc., of New York, N. Y., alleging shipment by said company in violation of the Food and Drugs Act on or about May 19, 1936, from New York, N. Y., to Long Beach, Calif., of a

quantity of Foltis Juice-O-Veg that was misbranded under section 8 of the Food and Drugs Act, in the case of drugs.

Analysis showed that the article consisted of plant juices (95 percent of which was water), containing inconsequential proportions of salts of iron, calcium, manganese, magnesium, potassium and sodium, phosphates, and silicates.

The article was alleged to be misbranded in that certain statements in a circular enclosed in the package containing it, regarding its curative and therapeutic effects, were false and fraudulent, since the product was falsely and fraudulently recommended as a protector of life; to raise resistance to infection, to help the eyes, nourish the nerves, tone the digestive system; to prevent tooth decay, aching joints, and anemia; to strengthen gums, to strengthen the heart, to neutralize acid, to heal wounds, to make strong bones, teeth, red blood, and the body flexible; to flush the cells, relax and reduce nerve tension, carry oxygen, harden the tooth enamel, to aid hair growth and whiten the eyes; to aid in bone-knitting and to give the necessary protectors of life; to be effective as a stimulating drink; to cause sparkling eyes and cheerful faces, radiance of youthful vigor, and the rapture of youthfulness and life; to be effective as a blood cleanser, as a cure for facial blemishes, as a reducing agent and to give more pep; to be effective as a treatment for those who are only half alive and saturated with acids; to be effective as a treatment for blemished complexions, dull eyes, jaded appetites, weakened nerves, and drawn and haggard faces; and to neutralize acid, to strengthen nerves, to restore appetite, to regain youth, and to defer old age.

On July 18, 1939, a plea of guilty was entered and the court assessed a fine of \$100.

GROVER B. HILL, *Acting Secretary of Agriculture.*

30972. Misbranding of Musclex Rubbing Lotion. U. S. v. 141 Bottles of Musclex Rubbing Lotion. Default decree of condemnation and destruction. (F. & D. No. 44677. Sample No. 41996-D.)

The labeling of this product bore false and fraudulent curative and therapeutic claims and it also failed to bear a correct statement of the quantity or proportion of alcohol contained in the article.

On January 13, 1939, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 141 bottles of Musclex Rubbing Lotion at Philadelphia, Pa.; alleging that the article had been shipped in interstate commerce on or about October 21, 1938, by Beacon Laboratories, Inc., from Dover, Del.; and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Bottle) "15% Alcohol."

Analysis showed that it consisted essentially of alcohol (10.3 percent by volume), oil of turpentine, camphor, a resin such as capsicum resin, a gum, and water.

The article was alleged to be misbranded in that its package label failed to bear a statement of the quantity or proportion of alcohol contained in it since the statement of alcohol made was incorrect. It was alleged to be misbranded further in that the following statements appearing on the bottle label and in a circular shipped with it, regarding its curative or therapeutic effects, were false and fraudulent: (Bottle) "For * * * Relief of Myalgia, Lumbago, Rheumatic & Arthritis Manifestations. Remove Stiffness, Excellent Relief For * * * Sore * * * Aching Feet & After Fractures or Broken Bones"; (circular) "Muscular pains and aches, which are caused by any of the many following manifestations. Rheumatism: A constitutional disease marked by pains in joints or muscles, usually recurrent, and often due to exposure. Arthritis: Gout or any joint inflammation. Acute marked by pain, heat, redness, and swelling. Neuritis: Inflammation of a nerve. Myalgia: * * * Muscular pain. Lumbago: * * * Neuralgia of the loins. Myositis: Inflammation of a muscle. Neuralgia: Pain in nerves. * * * For * * * Relief of Myalgia, Lumbago, Rheumatic & Arthritis Manifestations. Remove Stiffness, Excellent Relief for * * * Sore, * * * Aching Feet & After Fractures or Broken Bones * * * For every ailment, there is a cause, every cause has its effect. For every cause and effect there is a remedy! Musclex Offers almost immediate relief in cases of Rheumatism, Arthritis, Neuritis, Myalgia, Lumbago, Neuralgia, * * * and Myositis manifestations. * * * Its penetrating power is remarkable. It relieves almost instantaneously because of