

contained less than 1 grain of quinine sulfate, and less than one-sixtieth of a grain of strychnine sulfate. Further misbranding was alleged in that the article contained alcohol and its label failed to bear a statement of the quantity or proportion of alcohol contained therein.

The elixir salicylic acid compound was alleged to be adulterated in that its strength fell below the professed standard and quality under which it was sold, since it was represented to contain in each fluid dram 5 grains of salicylic acid and $2\frac{1}{2}$ grains of potassium iodide; whereas each fluid dram contained less than 5 grains, i. e., not more than 4.45 grains, of salicylic acid, and less than $2\frac{1}{2}$ grains, i. e., not more than 0.95 grains, of potassium iodide.

The elixir of salicylic acid compound was alleged to be misbranded in that the label statements, "To the Fluidrachm Acid Salicylic, 5 grs. * * * Potassa Iodide, $2\frac{1}{2}$ grs." and "Guaranteed under the Pure Food and Drugs Act, June 30, 1906," were false and misleading, since they represented that the article contained in each fluid dram 5 grains of salicylic acid and $2\frac{1}{2}$ grains of potassium iodide, that the article had been examined and approved by the Government of the United States, and was guaranteed by the Government to comply with the Food and Drugs Act of June 30, 1906, and that it did comply with the said act; whereas each fluid dram of the article did not contain 5 grains of salicylic acid and $2\frac{1}{2}$ grains of potassium iodide but did contain a less amount, the article had not been so examined, approved, and guaranteed by the Government of the United States, and it did not comply with the Food and Drugs Act of June 30, 1906.

On March 14, 1939, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$30.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30610. Misbranding of Miller's Worm Tablets for Poultry, White Diarrhea Remedy, Black Head Remedy, Flu and Pneumonia Tablets, Scour and Diarrhea Treatment, Necrotic Enteritis Treatment, Nu-Vita Cleaner. U. S. v. George B. Miller (Miller Co., Miller Products Co., Miller Chemical Co.). Plea of guilty. Fine, \$50 and costs. (F. & D. No. 42612. Sample Nos. 2208-D, 2209-D, 2211-D, 2213-D, 2214-D, 2215-D, 2216-D, 12306-D.)

The labeling of these veterinary products bore false and fraudulent curative and therapeutic claims.

On May 9, 1939, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court an information against George B. Miller, trading as the Miller Co., the Miller Products Co., and the Miller Chemical Co., at Waterloo, Iowa; alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about December 27, 1937, and April 4 and March 12, 1938, from the State of Iowa into the States of Wisconsin and New York, of quantities of the above-named products which were misbranded.

Analyses showed that the Worm Tablets consisted essentially of kamala, magnesium, calcium salts, and a small amount of nicotine; that the White Diarrhea Remedy consisted essentially of sodium sulfate, potassium permanganate, talc, and small amounts of iron and calcium salts; that the Black Head Remedy consisted essentially of cornstarch, talc, and phenolsulfonate of sodium, calcium, and copper colored with a pink dye; that the Flu and Pneumonia Tablets consisted essentially of copper and magnesium sulfates, calcium salts, and naphthalene; that the Scour and Diarrhea Treatment consisted essentially of a tannin-bearing substance resembling catechu, and small amounts of calcium salts and talc; that the Necrotic Enteritis Treatment consisted essentially of copper sulfate, magnesium, calcium, sodium, and potassium salts, charcoal, and a small amount of blue dye; and that the Nu-Vita Cleaner consisted of sucrose (97.1 percent) impregnated with creosote and colored with bluish-green coloring matter.

Misbranding of the Worm Tablets was alleged in that the labeling bore the following false and fraudulent curative and therapeutic claims: That the product was effective as a treatment, remedy, and cure for worms in poultry, and effective as a treatment for large roundworms in fowls.

Misbranding of the White Diarrhea Remedy was alleged in that its labeling bore the following false and fraudulent curative and therapeutic claims: That it was effective as a treatment, remedy, and cure for white diarrhea in poultry; effective for the prevention and cure of white diarrhea and other bowel troubles

in baby chicks; effective as an intestinal antiseptic, tonic, and corrective; and effective to increase vitality and give baby chicks added strength.

Misbranding of the Black Head Remedy was alleged in that its labeling bore the following false and fraudulent curative and therapeutic claims: That it was effective as a remedy for blackhead in poultry and as a preventive or treatment of blackhead in turkeys and poultry.

Misbranding of the Flu and Pneumonia Tablets was alleged in that its labeling bore the false and fraudulent curative and therapeutic claim that the product was effective as a treatment, remedy, and cure for flu and pneumonia.

Misbranding of the Scour and Diarrhea Treatment was alleged in that its labeling bore the following false and fraudulent curative and therapeutic claims: That the product was effective as a treatment for scour and diarrhea in livestock; effective as a preventative and cure of diarrhea in young pigs, calves, colts, and baby chicks; effective as a preventative of bowel trouble in mature birds; and effective as an intestinal antiseptic.

Misbranding of the Necrotic Enteritis Treatment was alleged in that its labeling bore the following false and fraudulent curative and therapeutic claims: That the product was effective as a treatment for necrotic enteritis; effective to heal the lesions within the stomach and to disinfect the intestinal tract; and effective as a treatment, remedy, and cure for thornhead worms.

The Nu-Vita Cleaner was alleged to be misbranded in that its labeling bore the following false and fraudulent curative and therapeutic claims: That it was effective as an internal antiseptic and cleanser of the intestinal tract of livestock and poultry, effective to cleanse the genital organs and every vital organ in cattle, to remove every particle of afterbirth, to prevent retention of afterbirth, to eradicate and prevent the spread of disease among the herd and to insure the herd against infection and contagion; to remove the cause responsible for retention of afterbirth, and to clean cows and heifers within 3 hours following calving or aborting; effective to prevent fevered, weakened, emaciated condition of cows and heifers, absorption of disease germs and spread of disease; effective to cause the udders of cows to expand, to insure that cows will calve easily and milk abundantly, and that calves will be strong, vigorous, and healthy; effective to prevent shy breeding and sterility or barrenness caused by Bang's disease; effective to prevent fever, loss of appetite, and invasion of the blood stream by bacteria; effective to prevent failure to breed, sterility, or barrenness, weak calves, emaciated condition of cows, lessened milk production, and vaginal discharges; effective as a treatment for swollen vulva; effective to fit cows to freshen; effective to cleanse every vital organ of poultry, to improve the appetite and aid digestion; effective to produce more eggs, healthier flocks, and quicker growth of poultry; effective in restoring a sickly or run-down flock to health and production, and to stop "losses by fatality"; effective to prevent abortion in cattle; and effective as a tonic for cattle.

On May 9, 1939, the defendant having entered a plea of guilty, the court imposed a fine of \$50 and costs.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

80611. Misbranding of Cholax, Pancreatone, and Meth-O-Sol. U. S. v. Two Packages of Cholax (and two similar seizure actions). Default decrees of condemnation and destruction. (F. & D. Nos. 43194, 43195, 43196. Sample Nos. 30049-D, 30050-D, 30051-D, 30052-D.)

The labeling of these products bore false and fraudulent curative and therapeutic claims and false and misleading representations regarding their ingredients.

On August 8, 1938, the United States attorney for the District of Delaware, acting upon a report by the Secretary of Agriculture, filed in the district court three libels praying seizure and condemnation of 2 packages of Cholax, 9 bottles of Pancreatone, and 32 bottles of Meth-O-Sol at Wilmington, Del.; alleging that the articles had been shipped in interstate commerce within the period from on or about July 16, 1937, to on or about June 23, 1938, from Philadelphia, Pa., by Crescent-Kelvan Co., and charging misbranding in violation of the Food and Drugs Act as amended.

Analyses of samples showed that the Cholax consisted essentially of sodium sulfate, magnesium sulfate, sodium phosphate, sodium bicarbonate, citric and tartaric acid, with not more than a trace, if any, of a lithium compound; the Pancreatone consisted essentially of compounds of arsenic, manganese, and strychnine with pancreas and gentian; the Meth-O-Sol consisted essentially of