

It was alleged to be misbranded in that the statement "Palmer's Vegetable Cosmetic Lotion," borne on the display carton, was false and misleading when applied to an article that contained mercuric chloride. It was alleged to be misbranded further in that the following statements appearing in the labeling, regarding its curative or therapeutic effects were false and fraudulent: (Display carton) "Avoid skin diseases by using Palmer's Lotion Soap Besides possessing in a mild form all the medicinal properties for which Palmer's Lotion is so celebrated this soap is desirable for all the general purposes of the toilet & bath Palmer's vegetable Cosmetic Lotion is a well known remedy for eczema, pimples * * * Use Palmer's Lotion and Lotion Soap and avoid skin trouble Palmer's Vegetable Cosmetic Lotion for pimples, scaly & unsightly eruptions, tetter, eczema * * * Palmer's Lotion removes pimples Palmer's Lotion beautifies by removing eczema, pimples * * * scaly eruptions. Palmer's Lotion * * * aids to prevent * * * barber's itch"; (retail carton) "Palmer's * * * Skin Lotion for * * * acne * * * Palmer's Lotion for any cuts or irritations"; (bottle label) "* * * for acne * * *."

The article was also alleged to be adulterated and misbranded in violation of the Federal Food, Drug, and Cosmetic Act, as reported in notices of judgment on drugs and devices published under that act.

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

M. L. WILSON, *Acting Secretary of Agriculture.*

30884. Misbranding of Peranol. U. S. v. Six Bottles of Peranol and Nine Packages of Peranol with Special Medicator. Default decrees of condemnation and destruction. (F. & D. Nos. 44679, 44680. Sample Nos. 58805-D, 58806-D.)

This product consisted of a medicament for use as a nasal spray, one lot of which was accompanied by a vaporizer. Its labeling bore false and fraudulent curative and therapeutic claims and it also failed to bear a statement of the quantity or proportion of alcohol contained in the article.

On January 19, 1939, the United States attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of six bottles of Peranol and nine packages of Peranol with Special Medicator at Indianapolis, Ind.; alleging that the articles had been shipped in interstate commerce on or about September 18 and November 26, 1938, by Peranol Products from Chicago, Ill.; and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of the article showed that it consisted of a mixture of volatile oils including eucalyptus oil, camphor, and menthol, and approximately 21 percent of alcohol.

The article was alleged to be misbranded in that the package or bottle failed to bear on its label a statement of the quantity or proportion of alcohol contained in the article.

It was alleged to be misbranded further in that the statements appearing in the circular accompanying it, "Peranol was developed and is intended as an application for the nasal cavities . . . If faithfully used as directed it should not only aid in the alleviation of congestion, irritation and discomfort, such as are commonly associated with . . . hay fever, nasal catarrh and rose fever, but also assist nature in warding off and resisting the development of such conditions," were statements regarding its curative and therapeutic effects and were false and fraudulent.

The vaporizing device accompanying one of the lots was charged to be misbranded in violation of the Federal Food, Drug, and Cosmetic Act, as reported in notices of judgment on drugs and devices published under that act.

On April 7, 1939, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

30885. Adulteration of glucose solution. U. S. v. 1,176 Ampuls of Sterile Solution Glucose (and 3 other seizure actions against the same product). Default decrees of condemnation and destruction. (F. & D. Nos. 44718, 44726, 44727, 44728, 44746, 44994. Sample Nos. 42301-D, 42308-D, 62541-D, 62974-D.)

This product contained a substance or substances foreign to glucose (dextrose), which caused unfavorable reactions in patients to whom it was administered.

On January 23, 1939, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the

district court a libel praying seizure and condemnation of 1,176 ampuls of solution glucose at Philadelphia, Pa. On January 25, 1939, but 123 ampuls having been seized under the libel, and the remainder having been distributed, an additional libel was filed against 1,000 ampuls of these distributed lots which had been located at various points in Philadelphia, Pa. On January 27, 1939, there was filed in the same district court a libel against 190 vials of glucose solution at Ridley Park, Pa. On March 15, 1939, the United States attorney for the Western District of Louisiana filed a libel against 121 ampuls of the product at Alexandria, La. The libels alleged that the article had been shipped in interstate commerce within the period from on or about June 15, 1938, to on or about December 21, 1938, by William A. Fitch from New York, N. Y.; and charged that it was adulterated in violation of the Food and Drugs Act.

The libels filed in the Eastern District of Pennsylvania alleged that it was adulterated in that its purity fell below the professed standard or quality under which it was sold, namely, "Sterile Solution * * * Glucose (Dextrose)," since it contained cellular fragments and a substance or substances other than glucose (dextrose), which caused untoward effects when administered to human beings; whereas pure glucose solution does not contain cellular fragments or substances which produce such effects. The libel filed in the Western District of Louisiana alleged that the article was adulterated in that its purity fell below the professed standard or quality under which it was sold, namely, "Sterile Solution * * * Glucose (Dextrose)," since it contained a substance or substances foreign to glucose (dextrose) which caused an abnormal rise in body temperature of animals to which it was administered.

The article was also alleged to be misbranded in violation of the Federal Food, Drug, and Cosmetic Act, as reported in notices of judgment on drugs and devices published under that act.

On February 15 and 20 and May 2, 1939, no claimant having appeared, judgments of condemnation were entered and the lots seized in the Eastern District of Pennsylvania were ordered destroyed, and the lot seized in the Western District of Louisiana was ordered delivered to this Department for further investigation.

M. L. WILSON, *Acting Secretary of Agriculture.*

30886. Misbranding of George's Compound. U. S. v. Nick A. George. Plea of guilty. Fine, \$100. (F. & D. No. 42611. Sample No. 27318-D.)

This product was labeled to indicate that it was composed solely of herbs and that it had been examined and approved by the Government and that it complied with all the pure food and drug laws of the United States; whereas it consisted in part of a mineral drug, sodium salicylate, and had not been so examined and approved and did not comply with the Food and Drugs Act.

On November 30, 1938, the United States attorney for the District of Wyoming, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Nick A. George, Caspar, Wyo., alleging shipment by him in violation of the Food and Drugs Act on or about March 29, 1938, from Caspar, Wyo., into the State of Montana, of a quantity of George's Compound that was misbranded.

The article was alleged to be misbranded in that the statements, "Herb Compound" and "It complies with all pure food and drug laws of the United States," appearing in the circular, were false and misleading in that they represented that the article was compounded solely of herbs, that it had been examined and approved by the Government, and that it complied with all food and drug laws of the United States; whereas it had not been compounded solely of herbs but did consist in part of a mineral drug—sodium salicylate, it had not been examined and approved by the Government, and it did not comply with the Food and Drugs Act of 1906.

On February 13, 1939, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$100 without costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

30887. Misbranding of rubbing alcohol, witch hazel, Russian oil, cod-liver oil, and rubbing alcohol compound. U. S. v. M. S. Walker, Inc. Plea of guilty. Fine, \$10. (F. & D. No. 42684. Sample Nos. 35716-D, 35719-D, 35747-D, 35748-D, 35749-D, 39750-D.)

These products were all found to be short of the declared volume.

On April 4, 1939, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district