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

court an information against M. S. Walker, Inc., Boston, Mass., alleging shipment by said defendant in violation of the Food and Drugs Act on or about September 13 and October 18, 1938, from the State of Massachusetts into the State of New Hampshire of quantities of the above-named products, which were misbranded. The articles were labeled in part variously: "Sterling Quality Rubbing Alcohol [or "Triple Distilled Witch Hazel," "Tasteless Pure White Russian Oil," or "Pure Norwegian Cod Liver Oil"] * * * Sterling Cut-Rate Stores of New England," or "Toppan's Rubbing Alcohol Compound * * * Distributed by the Warren Toppan Co., Manufacturing Pharmacists, Lynn, Mass."

Each of the above-named articles was alleged to be misbranded in that the statements on the labels, (rubbing alcohol) "Contents 16 Fl. Oz.," (Russian oil and cod-liver oil) "16 Fl. Oz.," (witch hazel) "Contents 8 Fluid Ounces," and (rubbing alcohol compound) "Full Pint," were false and misleading since each of the containers of the articles contained a smaller amount than that declared.

On September 19, 1939, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of $10.

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

30888. Misbranding of prophylactics. U. S. v. 2-1/6 Gross of Prophylactics. Default decree of condemnation and destruction. (F. & D. No. 45491. Sample Nos. 60156–D, 60158–D.)

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

On June 13, 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 a libel praying seizure and condemnation of 2⅙ gross of prophylactics at New York, N. Y.; alleging that the article had been shipped in interstate commerce on or about May 8, 1939, by Stowall & Co. from San Francisco, Calif.; and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Genuine Purple Goldbeaters."

It was alleged to be misbranded in that the statement regarding its therapeutic effect borne on the envelope, "for prevention of disease," was false and fraudulent since it was incapable of producing the effect claimed.

On July 7, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30889. Adulteration and misbranding of gauze bandages. U. S. v. 12 Dozen Packages of Gauze Bandages. Default decree of condemnation and destruction. (F. & D. No. 45400. Sample No. 30728–D.)

This product had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination it was found to be contaminated with viable micro-organisms.

On or about May 29, 1939, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 12 dozen packages of gauze bandages at Big Spring, Tex.; alleging that the article had been shipped on or about March 27, 1939, by Scotch Tone Co. from Oklahoma City, Okla.; and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that its purity fell below the professed standard of quality under which it was sold since it was represented to be sterile; whereas it was not sterile.

It was alleged to be misbranded in that the statements on the carton containing 1 dozen bandages, "Hospital Brand Gauze Bandages Sterilized after Packaging," and the statement on the carton for individual bandages, "Hospital Bandage * * * Prepared under the most sanitary and scientific conditions. Absolute satisfaction guaranteed," and the design of a nurse and a surgeon appearing on the carton containing the individual bandages, were false and misleading when applied to this article, which was not sterile but was contaminated with viable micro-organisms and therefore was unsuitable for hospital use or for use by surgeons and nurses.

On August 16, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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