

misleading since it created the impression that the active ingredients in the article were salicylates, whereas it also contained aminopyrine; in that the statement in the circular contained in the package, "For U. S. Government warnings against these 'Undertaker Friends'—acetanilid antipyrine chloral Read Labels carefully. Notice whether news ads claims compare with label statements. Our scientific staff compounds Sodalal Laboratory medicinals right in every respect. Finally we assure you that everything Sodalal Laboratories makes contains only tested ingredients of Unquestionable Merit," were false and misleading since they created the impression that the article did not contain dangerous drugs, whereas it contained aminopyrine, a dangerous drug; in that statements and designs appearing on the package and in the circular were false and misleading since they created the impression that the article was a safe and appropriate remedy for the disease conditions mentioned, whereas it was not a safe and appropriate treatment but was a dangerous drug. It was alleged to be misbranded further in that certain statements in the circular regarding its curative or therapeutic effectiveness falsely and fraudulently represented that it was effective as an alkaline treatment; effective as a treatment for rheumatic pains, aching muscles, lumbago and simple, non-fever grippy discomfort; effective as an anti-rheumatic anodyne, diuretic, and alkalizer; and effective to give prompt relief from pain, knife-like pain, racking pain, and rheumatoid suffering, to flush the kidneys, to expel uric acid, poisonous toxins, and other impurities; to double the kidney flow and to fight blood acidity; effective as a treatment of serious ailments which often develop into kidney, blood, and heart trouble; effective in the treatment of stiffness, soreness, swelling or shrinkage in muscles and joints; effective to bring freedom from pain and to relieve torturing pains and agony and effective as a treatment for advanced (chronic) and recurring cases.

The libels charged that the article was also 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 17, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

30896. Adulteration and misbranding of peroxide of hydrogen. U. S. v. 192 Bottles (4-Ounce Size) and 68 Bottles (16-Ounce Size) of Peroxide of Hydrogen. Default decree of condemnation and destruction. (F. & D. No. 44848. Sample No. 39824-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 contain not more than 4.58 percent of hydrogen dioxide, whereas 6 percent was declared on the label.

On or about February 16, 1939, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel, and on May 3, 1939, an amended libel, praying seizure and condemnation of 192 bottles (4-ounce size) and 68 bottles (16-ounce size) of peroxide of hydrogen at Tacoma, Wash.; alleging that the article had been shipped on or about January 24, 1939, by the Columbia Laboratories from Wilmington, Calif.; and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that its strength fell below the professed standard and quality under which it was sold, namely, "Active Ingredient Hydrogen Dioxide 6 per cent," since it did contain less than 6 percent of hydrogen dioxide.

It was alleged to be misbranded in that the statement "Active Ingredient Hydrogen Dioxide 6 per cent" was false and misleading.

On August 23, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30897. Adulteration and misbranding of absorbent cotton. U. S. v. 192 Packages and 350 Packages of Absorbent Cotton. Default decree of condemnation and destruction. (F. & D. No. 38464. Sample Nos. 6139-C, 6140-C.)

This product, which had been shipped in interstate commerce, was found at the time of examination to be contaminated with viable micro-organisms. One lot was falsely labeled as to the name of the manufacturer and the place of manufacture.

On October 26, 1936, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 542 packages of absorbent cotton at Milwaukee, Wis.; alleging that the article had been shipped in interstate commerce on or about July 30 and August 5, 1936, by American White Cross Laboratories, Inc., from Cape Girardeau, Mo.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (A portion) "Sterilized White Cross Absorbent Cotton"; (remainder) "Hi-Test Absorbent Cotton Hi-Test Laboratories Cleveland, Ohio."

It was alleged to be adulterated in that its purity fell below the professed standard and quality under which it was sold, namely, "Sterilized," since it was not sterile but was contaminated with viable micro-organisms.

Misbranding was alleged in that the statements in the labeling, (White Cross brand) "Sterilized," and "The White Cross of Perfection is Your Protection," and (Hi-Test brand) "Sterilized," "Hi-Test Hospital Cotton," and "Hi-Test Absorbent Cotton," were false and misleading when applied to cotton that was not sterile. The Hi-Test brand was alleged to be misbranded further in that the statement on the label, "Hi-Test Laboratories Cleveland, Ohio," was false and misleading since it did not give the correct name and address of the manufacturer of the article.

On April 26, 1939, the claimant having withdrawn its claim and answer, judgment of condemnation was entered and the product was ordered destroyed.

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

30898. Adulteration and misbranding of gauze roller bandages, plain gauze packets, and plain gauze cotton-wound applicators. U. S. v. 914 Packages of Gauze Roller Bandage (and two other seizure actions against similar products). Default decrees of condemnation and destruction. (F. & D. Nos. 38984, 38985, 38986. Sample Nos. 28001-C, 28002-C, 28003-C.)

These products had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination they were found to be contaminated with viable micro-organisms.

On January 25, 1937, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 914 packages of gauze roller bandages, 132 packets of gauze, and 64 packets of cotton-wound applicators at San Francisco, Calif.; alleging that the articles had been shipped by the Mine Safety Appliances Co. from Pittsburgh, Pa., within the period from on or about November 22, 1935, to on or about October 14, 1936; and charging adulteration and misbranding in violation of the Food and Drugs Act.

The gauze roller bandages were alleged to be adulterated in that their purity fell below the professed standard or quality under which they were sold, namely, "Sterilized," since they were not sterile but were contaminated with viable micro-organisms. They were alleged to be misbranded in that the statements "Sterilized" and "Safety" and the word "Safety," forming a part of the firm name, "Mine Safety Appliances Co.," borne on the labeling, were false and misleading when applied to articles that were not sterile.

The gauze packets (2 lots) were alleged to be adulterated in that their purity fell below the professed standard or quality under which they were sold, namely, "Sterilized" or "Sterile," since they were not sterile but were contaminated with viable micro-organisms. They were alleged to be misbranded in that the statements (one lot) "Gauze Packet * * * Sterilized" (a second lot) "Sterilized," and the word "Safety" constituting part of the firm name "Mine Safety Appliances Co.," borne on the labeling, were false and misleading when applied to articles that were not sterile.

The cotton-wound applicators were alleged to be adulterated in that their purity fell below the professed standard or quality under which they were sold, namely, "Cotton-Wound Applicators * * * Mine Safety Appliances Co.," since such labeling is applicable only to sterile articles, and these articles were contaminated with viable micro-organisms. They were alleged to be misbranded in that the word "Safety" forming a part of the firm name, "Mine Safety Appliances Co.," was false and misleading, since the articles were not safe but were contaminated with viable micro-organisms.

On July 1, 1939, default decrees of condemnation were entered and the products were ordered destroyed.

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