

Go straight to nature for the cure, to the forest, the field and the meadow. Curative mysteries are hidden there, many of which are contained in this prescription."

On March 30, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

28694. Misbranding of French Pessaire Womb Supporter. U. S. v. 67 Packages of French Pessaire Womb Supporter (and 2 similar seizure actions). Default decree of condemnation and destruction. (F. & D. Nos. 41773, 41830, 41831. Sample Nos. 2562-D, 2563-D, 3025-D, 8366-D.)

The labeling of this product bore false and fraudulent curative or therapeutic claims and other misrepresentations.

On February 21, March 2, and March 3, 1938, the United States attorneys for the Northern District of California, the Northern District of Illinois, and the Western District of Missouri, acting upon reports by the Secretary of Agriculture, filed in their respective district courts 3 libels praying seizure and condemnation of 246 packages of French Pessaire Womb Supporters in various lots at San Francisco, Calif.; Chicago, Ill.; and Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about April 29, 1937, and January 4 and 24, and February 4, 1938, by Robert J. Pierce, Inc., from New York, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

The article was alleged to be misbranded in that the following statements in the labeling were false and misleading since the article was not what it was represented to be: (Carton) "Womb Supporter * * *"; (circular) "Womb Supporter * * * The French Womb Supporter is constructed on a common sense principle, and strictly in accordance with the anatomy of the female organization * * * is not injurious in any way, * * * no apprehension of its going too far or doing the slightest harm need be felt."

It was alleged to be misbranded further in that the following statements in the circular regarding its curative or therapeutic effects were false and fraudulent: "A Blessing To Womankind * * * It affords a convenient and prompt means of cure to those afflicted with prolapsus (falling of the womb), leucorrhoea (whites), and in the ready cure of the ulceration of the mouth and neck of the womb, so commonly the living torment of delicate women. In treatment of cancer of the womb, it is a most admirable instrument. The ordinary treatment of female diseases by injections is uncertain, slow, tedious, disgusting and expensive. In the use of local medication, by the means of the Womb Supporter, the cure is directly applied to the seat of the disease, and can be retained any length of time with ease, comfort and success. By this valuable means, old chronic female affections, seldom curable by former modes of treatment, now yield readily."

On March 17, April 21, and May 24, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

28695. Misbranding of hydrogen peroxide. U. S. v. 132, 51, and 122 Bottles of Hydrogen Peroxide. Default decree of condemnation and destruction. (F. & D. No. 41464. Sample Nos. 55257-C, 55298-C.)

This product was misbranded because it contained acetanilid in excess of the amount declared; its label falsely indicated that it conformed to the tests laid down in the United States Pharmacopoeia for hydrogen peroxide, and it was short of the declared volume.

On January 18, 1938, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 305 bottles of hydrogen peroxide at Providence, R. I., alleging that the article had been shipped in interstate commerce on or about September 15, 1937, from Boston, Mass., by General Oil & Drug Co., Inc., and charging misbranding in violation of the Food and Drugs Act.

The article was alleged to be misbranded in that the statement on the label, "U. S. P. * * * Hydrogen Peroxide * * * with 3/16 grain acetanilide to fluid ounce," was false and misleading when applied to an article that contained more than 3/16 grain of acetanilid per each fluid ounce; in that the statement on the label, "* * * U. S. P. * * * Hydrogen Peroxide," was false and misleading in that the article was not solution of hydrogen perox-

ide, U. S. P., since it differed from the standard of strength as determined by the test laid down in the United States Pharmacopoeia and its label led one to believe that it was of such standard; and in that the statements on the packages of various sizes, "Contents 4 [or "8" or "16"] fl. oz.," were false and misleading when applied to an article that was short volume.

On February 11, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

28696. Adulteration and misbranding of solution citrate of magnesia. U. S. v. Mrs. Elizabeth Margaret Jennings (Border Serum & Drug Co.). Plea of guilty. Fine, \$25. (F. & D. No. 40750. Sample Nos. 67896-B, 47927-C.)

Both lots of this product contained a smaller proportion of magnesium citrate than that prescribed in the United States Pharmacopoeia. One lot also contained a smaller proportion of citric acid than that prescribed therein; and it contained magnesium sulphate, which is not mentioned in the pharmacopoeia as an ingredient of solution of citrate of magnesia.

On February 8, 1938, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Mrs. Elizabeth Margaret Jennings, trading as Border Serum & Drug Co., El Paso, Tex., alleging shipment in violation of the Food and Drugs Act by said defendant on or about March 30, 1936, and June 10, 1937, from the State of Texas into the State of New Mexico, of quantities of solution citrate of magnesia which was adulterated and a portion of which was misbranded. One lot was labeled in part: "Citrate of Magnesia * * * Border Serum and Drug Co., El Paso, Tex." The other lot was labeled: (Blown in bottle) "Solution Citrate Magnesia."

The article was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the test laid down therein since one lot contained in each 100 cubic centimeters an amount of magnesium citrate corresponding to less than 1.6 grams, namely, not more than 1.273 grams of magnesium oxide; it contained in each 10 cubic centimeters citric acid equivalent to less than 26 cubic centimeters, namely, not more than 19.93 cubic centimeters, of half-normal hydrochloric acid; and it also contained magnesium sulphate, and the other lot contained in each 100 cubic centimeters an amount of magnesium citrate corresponding to less than 1.6 grams, namely, not more than 1.376 grams of magnesium oxide; whereas the United States Pharmacopoeia provides that solution of magnesium citrate shall contain in each 100 cubic centimeters an amount of magnesium citrate corresponding to not less than 1.6 grams of magnesium oxide, and in each 10 cubic centimeters it shall contain citric acid equivalent to not less than 26 cubic centimeters of half-normal hydrochloric acid, and it does not mention magnesium sulphate as an ingredient of the article; and the standard of strength, quality, and purity of the article was not declared on the label.

One lot of the article was alleged to be misbranded in that the statement "Citrate of Magnesia," borne on the bottle label, was false and misleading since it represented that the article consisted wholly of citrate of magnesia, whereas it consisted in part of magnesium sulphate.

On February 17, 1938, the defendant entered a plea of guilty and was sentenced to pay a fine of \$25.

W. R. GREGG, *Acting Secretary of Agriculture.*

28697. Misbranding of Kalo's Mentho Jell and Kalo's Headache Powders. U. S. v. Mentho Jell Co., Inc. Plea of guilty. Fine, \$25. (F. & D. No. 39832. Sample Nos. 19950-C, 19994-C, 19995-C.)

The labeling of these products bore false and fraudulent therapeutic and curative claims, and the quantity of acetanilid in the headache powders was incorrectly declared.

On January 18, 1938, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Mentho Jell Co., Inc., Albert Lea, Minn., alleging shipment by said corporation in violation of the Food and Drugs Act as amended, on or about May 8 and June 14, 1937, from the State of Minnesota into the States of Wisconsin and Iowa of quantities of Kalo's Mentho Jell and Kalo's Headache Powders which were misbranded. The articles were labeled in part: "Mentho Jell Co. Albert Lea, Minn."