28978. Misbranding of Astyptodyne Cough Syrup and Astyptodyne Ointment for Piles. U. S. v. Astyptodyne Chemical Co., Inc., and Hargrove Bellamy. Pleas of nolo contendere. Fine, $25. (F. & D. No. 38073. Sample Nos. 16126–C, 16127–C.)

These products contained no ingredients capable of producing the curative and therapeutic effects claimed in the labeling.

On January 31, 1938, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Astyptodyne Chemical Co., Inc., Wilmington, N. C., and Hargrove Bellamy, an officer of the corporation, alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about December 2, 1935, from the State of North Carolina into the State of South Carolina, of quantities of the above-named drugs which were misbranded. The articles were labeled in part: "Astyptodyne Chemical Co., Wilmington, N. C."

Analyses showed that they consisted, respectively, of a syrup containing 1.25 percent by volume of pine oil suspended in it; and of an ointment containing about 12 percent by weight of pine oil.

The articles were alleged to be misbranded in that certain statements, designs, and devices regarding their curative and therapeutic effects, appearing in the labeling, falsely represented that the cough syrup was effective as a treatment, remedy, and cure for coughs, bronchitis, croup, sore throat, whooping cough, and other diseases of the throat and chest; effective to heal the membranes of the throat, to get rid of mucus which clogs the bronchial tubes, and to relieve the distressing symptoms of simple sore throat, catarrhal bronchitis, and croup due to colds; and that the ointment was effective as a treatment, remedy, and cure for protruding, itching, bleeding, and internal piles and other external affections; whereas the articles contained no ingredients or medicinal agents effective for the said purposes.

On March 21, 1938, pleas of nolo contendere having been entered on behalf of the defendants, the court imposed a fine of $25.

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

28979. Misbranding of Green Mountain Stick Salve. U. S. v. 37 Sticks of Green Mountain Stick Salve. Default decree of condemnation and destruction. (F. & D. No. 42075. Sample No. 22021–D.)

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

On March 30, 1938, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 37 sticks of Green Mountain Stick Salve at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about June 26, 1937, from Roulette, Pa., by Mrs. A. H. Westfall, and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of the article showed that it consisted essentially of rosin, wax, and a small proportion of copper chloride.

The article was alleged to be misbranded in that the following statements appearing in the label falsely and fraudulently represented the curative or therapeutic effect of the article, since it contained no ingredient or combination of ingredients capable of producting the effects claimed: "Highly recommended for pleurisy rheumatism lumbago * * * boils blood-poison and all infections. * * * For boils and sores."

On May 24, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

28980. Adulteration and misbranding of Mar-Vo Antiseptic Bandage. U. S. v. 176 Packages of Mar-Vo Antiseptic Bandage. (F. & D. No. 42033. Sample No. 9232–D.)

This product was represented to be sterilized antiseptic bandage, but was unsterile and possessed no antiseptic properties.

On March 23, 1938, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 176 packages of Mar-Vo Antiseptic Bandage at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about February 21, 1938, from