

was alleged to be misbranded further in that the statement on the tube, "Kills germs," was false and misleading since it was not a germicide.

The Glandeen was alleged to be misbranded in that it was falsely and fraudulently represented to be effective to augment or to restore human courage; to act as a "powerful strength invigorator"; to so effect the glands of the human organism as to restore lost vitality or lost manhood; to rehabilitate the human body when in a run-down condition.

The San-I-Geno Sanitary Antiseptic Douche Powder was alleged to be misbranded in that it was falsely and fraudulently represented to be effective to heal and to protect the female sexual organs safely, harmlessly, and dependably; to maintain health; to enable one to get well when not well and to cause users to be healthy, peppy, and full of life. It was alleged to be misbranded further in that the statements on the jar and in the circular, "Antiseptic Douche Powder. Dissolve from one to two teaspoonfuls in a quart or more of warm water," were false and misleading since it was not an antiseptic.

The Bewino Beef Wine and Iron Tonic was alleged to be misbranded in that it was falsely and fraudulently represented to be effective to tone and renew and strengthen the human body; to restore sickly, run-down puny people to normal health and vigor; to impart pep and energy; to aid digestion; to cause one to be sensible to its efficacy in these several respects after taking the very first dose of the article; to impart to the blood its essential elements and to purify the blood. It was alleged to be misbranded further in that it contained alcohol and its package failed to bear on the label a statement of the quantity or proportion of alcohol contained in the article.

On March 19, 1938, the defendants entered pleas of guilty and the corporation was sentenced to pay \$308 and the individual defendants were each sentenced to pay \$146, a total of \$600, which sums were in lieu of fines and costs.

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

28312. Adulteration of potassium arsenite tablets and misbranding of atropine sulphate tablets. U. S. v. Direct Sales Co. Plea of guilty. Fine, \$300. (F. & D. No. 38599. Sample Nos. 67717-B, 5711-C.)

This case involved atropine sulphate tablets which contained an excess of atropine sulphate, and potassium arsenite tablets which were deficient in potassium arsenite.

On January 11, 1937, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Direct Sales Co., a corporation, Buffalo, N. Y., alleging shipment by said company in violation of the Food and Drugs Act, on or about April 13 and June 13, 1936, from the State of New York into the States of Pennsylvania and Illinois of quantities of atropine sulphate tablets and potassium arsenite tablets, respectively, of which the former was misbranded and the latter was adulterated. The articles were labeled: "Hypodermic Tablets Atropine Sulphate 1/120 Grain;" "Potassium Arsenite (Fowler's Solution) 5 minims." Both were labeled further: "Manufactured by Direct Sales Co., Inc., N. Y."

The potassium arsenite tablets were alleged to be adulterated in that their strength fell below the professed standard under which they were sold in that they were labeled, "Tablets Potassium Arsenite (Fowler's Solution) 5 minims C T," whereas they contained potassium arsenite equivalent to less than 5 minims of Fowler's solution each, namely, 3.7 minims of Fowler's solution per tablet.

The atropine sulphate tablets were alleged to be misbranded in that the statements "Hypodermic Tablets Atropine Sulphate 1/120 Grain" were false and misleading since they represented that each of the tablets contained 1/120 grain of atropine sulphate, whereas they contained more than so represented, namely, not less than 0.0099 grain, i. e., approximately 1/100 grain of atropine sulphate per tablet.

On December 6, 1937, a plea of guilty was entered on behalf of the defendant and on December 16 a fine of \$300 was imposed.

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

28313. Adulteration of scopolamine hydrobromide tablets and tincture of aconite root. U. S. v. Direct Sales Co., Inc. Plea of guilty. Fine, \$300. (F. & D. No. 37926. Sample Nos. 51954-B, 54036-B.)

This case involved tablets which contained scopolamine hydrobromide in excess of the amount declared, and tincture of aconite root which had a potency of approximately one-fifth of that required by the United States Pharmacopoeia.