28318. Misbranding of Essence of Mistol. U. S. v. 1,282 Dozen Bottles of Essence of Mistol. Consent decree of condemnation. Product released under bond for relabeling. (F. & D. No. 29812. Sample Nos. 22676–A to 22679–A, incl.)

This product contained isopropyl alcohol, which was not declared on the label, as required by law.

On February 7, 1933, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,282 dozen bottles of Essence of Mistol at San Francisco, Calif., alleging that the article had been shipped in interstate commerce by Stanco Distributors, Inc., from Bayway, N. J., on or about October 11 and November 18, 1932, and charging misbranding in violation of the Food and Drugs Act.

The article was alleged to be misbranded in that the package failed to bear a statement on the label of the quantity or proportion of isopropyl alcohol contained therein; that the October 11, 1932 shipment carried no declaration whatsoever of isopropyl alcohol; that the bottle label on the other consignment carried an inconspicuous declaration of isopropyl alcohol and that neither the retail carton nor the display carton carried any declaration of the quantity of isopropyl alcohol.

On October 11. 1937, the Stanco Distributors Corporation, claimants, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond conditioned that the packages, retail cartons, display cartons, and the shipment of October 11, 1932, be relabeled by placing thereon a statement of the quantity or proportion of isopropyl alcohol contained in the article and also by causing the bottle label to carry a conspicuous declaration of isopropyl alcohol.

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

28319. Misbranding of Gall-Flo. U. S. v. Gall-Flo Laboratories, Inc., Ella M. DeWeese, Durbin L. Keeney, and Harry T. Lederer. Pleas of nolo contendere; finding of guilty. Fine, totaling $100 and costs. (F. & D. No. 37973. Sample No. 67687–B.)

The labeling of this product contained false and fraudulent representations regarding its curative and therapeutic effects.

On October 5, 1936, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Gall-Flo Laboratories, Inc., and Ella M. DeWeese, Durbin L. Keeney, and Harry T. Lederer, officers of the corporation, alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about January 9, 1936, from the State of Ohio into the State of West Virginia, of a quantity of Gall-Flo that was misbranded. The article was labeled in part: "Manufactured by Gall-Flo Laboratories, Inc. Cleveland, Ohio."

Analysis showed that the article consisted essentially of water, alcohol, plant extractives, and an unidentified alkaloid.

It was alleged to be misbranded in that certain statements, designs, and devices regarding its curative or therapeutic effects, appearing in the labeling, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for liver, gall bladder and stomach disorders arising from a sluggish flow of bile, pains in the pit of the stomach, gas, bloating, flatulence, colic, sour or bile eructations, bitter taste in the mouth, nausea, irritability, all-tired-out feeling, dizzy bilious headaches, gall-bladder and liver trouble due to pregnancy, stagnant liver, and most bilious symptoms; and effective to alleviate distress and biliousness arising from a sluggish flow of bile, to aid digestion, to prevent constipation, and to promote normal digestion in the intestines.

On November 19, 1937, the defendants entered pleas of nolo contendere, were found guilty by the court and were each fined $25. Costs also were imposed.

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

28320. Misbranding of Dr. J. R. W. Ward's Formulas. U. S. v. Standardized Remedies, Inc., and Joseph Frey. Pleas of nolo contendere. Fine, $500 each. (F. & D. No. 39487. Sample Nos. 4522–C, 4577–C, 4578–C, 27962–C, 27963–C.)

The labeling of these products contained false and fraudulent representations regarding their curative and therapeutic effects.

On July 9, 1937, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district