

**25818. Misbranding of Ora-Noid. U. S. v. Henry Lutzenkirchen, trading as the Ora-Noid Co. Plea of nolo contendere. Fine, \$50 and costs. (F. & D. no. 33992. Sample nos. 64286-A, 64682-A, 64913-A, 67864-A.)**

False and fraudulent curative and therapeutic claims were made for this article.

On July 12, 1935, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Henry Lutzenkirchen, trading as the Ora-Noid Co., Chicago, Ill., alleging shipment in violation of the food and Drugs Act as amended, in the period from March 22, 1934, to June 13, 1934, to Milwaukee, Wis., and to New York, N. Y., of quantities of Ora-Noid which was misbranded. The article was labeled in part: (Can) "Ora-Noid Ora-Noid Co. Chicago \* \* \* Do not fail to read the accompanying circular."

Analysis showed that the article consisted essentially of common salt, chalk, bicarbonate of soda and potash, phosphate of lime, soda and magnesium, sulphates of magnesium and potash flavored with cinnamon.

Misbranding of the article was charged in that there appeared on the cartons and labels of the cans statements regarding the therapeutic and curative effects of the article; that the said statements were false and fraudulent representations that the article was effective, among other things, as an oral prophylactic; effective to strengthen the gums and to keep them in condition; effective to strengthen all the tissues in the mouth including the tongue, the palate, the throat, and the mucous membranes on the inside of the cheeks; effective to keep the teeth, gums, tongue, mouth, and throat healthy; effective to expel germs, to draw the germs out of the crypts in the tissues, to flush out and expel bacteria hidden away in the crypts of the mouth and tongue, and to aid in the treatment of irritations of the membranes of the gums, mouth and throat including bad breath, and wherever the tissues of the mouth and its accessory organs are involved; and effective to exert a high osmotic pressure to draw the fluids out of inflamed tissues and to relieve congestion and help to restore the tissue to a normal healthy condition.

On May 27, 1936, a plea of nolo contendere having been entered, a fine of \$50 and costs was imposed.

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

**25819. Misbranding of Dr. P. C. Sanderson's Indian Herbs of Joy and Blood Cleanser, and Sengarian Ointment, formerly called "Hungarian Ointment." U. S. v. Aschenbach & Miller, Inc., a corporation, and John F. Belsterling, its president. Plea of nolo contendere. Joint fine, \$50. (F. & D. no. 34005. Sample nos. 10463-B, 10464-B.)**

False and fraudulent curative and therapeutic claims were made for these articles. The label of one erroneously represented that it was an Indian product. The label of the other erroneously represented that it was of antiseptic efficacy and that particular use of it could be made with perfect safety.

On June 12, 1935, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Aschenbach & Miller, Inc., a corporation, Philadelphia, Pa., and John F. Belsterling, its president, alleging shipment by them in violation of the Food and Drugs Act as amended, from Philadelphia, Pa., to Wilmington, Del., of quantities of Dr. P. C. Sanderson's Indian Herbs of Joy and Blood Cleanser on or about March 28, 1934, and quantities of Sengarian Ointment, formerly called "Hungarian Ointment", on or about June 9, 1934, which articles were misbranded. The articles were labeled in part: (Box) "Dr. P. C. Sanderson's Indian Herbs of Joy and Blood Cleanser"; (box) "Sengarian Ointment Hungarian Med. Co. 400 N. 3rd St., Phila., Pa."; (carton) "Sengarian Ointment, Formerly Hungarian \* \* \* For Drawing, Healing, Strengthening. Etc. \* \* \* Aschenbach & Miller, Inc. 400 N. Third Street, Philadelphia, Pa."

Analysis showed that the Herbs of Joy consisted of ground crude drugs including aloe, cinnamon, and ginger; that the ointment was a dark-brown, sticky salve consisting of lead soap, rosin, and camphor. An examination of the ointment resulted in the finding that it was not antiseptic when used as directed.

Misbranding of the Herbs of Joy was charged in that the labels on the boxes bore, and a circular enclosed in the package contained, statements regarding the curative and therapeutic effects of the article; that the said statements were false and fraudulent representations that the article was effective, among other things, as a blood cleanser and health promoter; effective as a treatment, remedy, and cure for liver complaints, dyspepsia, rheumatism, malarial fevers, and

worms in children; effective as a treatment for fever and ague, and to remove the cause of fever and chills; and effective when used in connection with pure rye whisky as a treatment, remedy, and cure for weak lungs, blood spitting, and bad coughs. Misbranding of the Herbs of Joy was further charged in that the circular enclosed in the package bore the statement, to wit, "Great Indian Remedy" and that the labels on the boxes bore the statement, to wit, "Indian Herbs"; that the said article was not an Indian product; that the said statements aforesaid were false and misleading.

Misbranding of the Sengarian Ointment was charged in that the cartons bore and a circular enclosed in them contained statements regarding the curative and therapeutic effects of the article; that the statements were false and fraudulent representations that the article was effective, among other things, as a relief for bunions, and as a treatment for inward pains, lumbago, catarrh, gathered breast, sore nipples, felons, flesh wounds, deep-seated sores, carbuncles, cuts, boils, scrofulous sores, eczema, salt rheum, tetter, piles, and all skin eruptions; effective as healing and strengthening in the treatment for inward pains, open sores, rheumatism, synovitis, sciatica, lumbago, contractions and pain in chest, throat and back, cholera infantum, cholera morbus, and inflammation of bowels and stomach; effective as an agent for drawing out the inward soreness and inflammation, and to impart new strength and vigor to the parts affected; effective to reach the seat of the disease; effective as a treatment, remedy, and cure for all kinds of open sores, fresh wounds or old sores, and to draw to the surface poisonous fluid or matter; to heal the wounds and strengthen the tissues, and to leave the flesh in a healthy condition; effective as a treatment for rheumatism, synovitis, catarrh, lumbago, sciatica, erysipelas, cholera, inflammation of the bowels and stomach, or any inward pains, felons, gathered breasts, ulcers, abscesses, cholera infantum, cholera morbus, and chronic diarrhea; and effective to relieve croups and griping pains, to reduce inflammation of the stomach and bowels and restore them to healthy action.

Misbranding of the Sengarian Ointment was further charged in that the cartons bore the statement, to wit, "Sengarian Ointment is antiseptic"; that the circular enclosed in the package bore the statement, to wit, "It may be used on the most tender infant with perfect safety \* \* \* Directions"; that the article was not antiseptic when used as directed and that it could not be used on the most tender infant with perfect safety; and that the aforesaid statements were false and misleading.

On September 6, 1935, a plea of nolo contendere was entered on behalf of the defendants, and the court imposed a joint fine of \$50.

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

**25820. Misbranding of Greendale Solution. U. S. v. Jacob Martin Haynes, trading as the Greendale Poultry Farms. Plea of guilty. Fine, \$25. (F. & D. no. 34013. Sample no. 72284-A.)**

This case involved a drug preparation the labeling of which contained false and fraudulent curative and therapeutic claims.

On July 1, 1935, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Jacob Martin Haynes, trading as the Greendale Poultry Farms, Macksville, Kans., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about June 6, 1934, from the State of Kansas into the State of Utah of a quantity of Greendale Solution which was misbranded.

Analysis showed that the article consisted of chlorinated lime containing 22.82 percent of available chlorine colored with a red dye.

The article was alleged to be misbranded in that certain statements, designs, and devices regarding its therapeutic and curative effects, appearing on the carton and borne on the circular shipped with the article, falsely and fraudulently represented that it was effective as a powerful germicide, antiseptic, disinfectant, and tonic for poultry; effective as a germicide for poultry, stock, dairy and household whenever and wherever disease germs are present; effective as a preventive, treatment, remedy, and cure for white diarrhea, coccidiosis, cholera, roup, worms, diphtheria, chicken pox, canker, colds, European fowl disease and blackhead in turkeys; effective as a treatment, remedy, and cure for diarrhea in baby chicks; effective as a treatment, remedy, and cure for roup, worms, and coccidiosis in poultry; effective to increase egg production in poultry; effective as a preventive of all contagious and infectious germ diseases and