

The articles were alleged to be misbranded in that certain statements, borne on the cartons of the Oil de Vita, regarding its therapeutic and curative effects falsely and fraudulently represented that it was effective to destroy cold and catarrhal pus bacilli and to relieve and conquer rheumatic conditions; in that certain statements on the display card shipped with the Snuffly regarding its curative and therapeutic effects falsely and fraudulently represented that it was effective as a remedy for sinus trouble, asthma, and hay fever, and as a protection against infection; and in that certain statements on the tubes containing the Oil de Vita Salve, regarding its curative and therapeutic effects, falsely and fraudulently represented that it was effective as a relief for eczema, skin eruptions, and rheumatism.

On September 21, 1937, the defendant entered a plea of guilty and the court imposed a fine of \$50 and a sentence of 1 day's imprisonment. The prison sentence was suspended and the defendant was placed on probation for 1 year.

M. L. WILSON, *Acting Secretary of Agriculture.*

27703. Misbranding of Zo-Ro-Lo. U. S. v. Zo-Ro-Lo, Inc., Ralph Runyan, and Charles Collett. Pleas of nolo contendere. Corporation fined \$50. Individual defendants each fined \$10. Costs assessed. (F. & D. No. 37923. Sample Nos. 49625-B, 56470-B.)

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

On August 12, 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 Zo-Ro-Lo, Inc., Ada, Ohio, and Ralph Runyan and Charles Collett, officers of the corporation, alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about December 9, 1935, from the State of Ohio into the State of Indiana, and on or about December 20, 1935, from the State of Ohio into the State of New Jersey of quantities of Zo-Ro-Lo that was misbranded. The article was labeled in part: "Zo-Ro-Lo, Zo-Ro-Lo, Inc., Laboratories, Ada, Ohio."

Analyses showed that it consisted essentially of water, magnesium sulphate, citric acid, benzoic acid, glycerin, and menthol.

The article was alleged to be misbranded in that certain statements borne on the bottle label, regarding its therapeutic and curative effects, falsely and fraudulently represented that it was effective to remove the cause of many ailments traceable to intestinal auto-intoxication and to insure proper elimination; effective as a treatment, remedy, and cure for indigestion; and effective to aid nature in eliminating the toxins caused from auto-intoxication and putrefaction occurring within the intestinal tract and to establish normal metabolism.

On January 21, 1937, the corporation entered a plea of nolo contendere and the court imposed a fine of \$50, with costs amounting to \$20.50. On September 16, 1937, each individual defendant entered a plea of nolo contendere and was fined \$10 with \$15.10 costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

27704. Adulteration of gauze pads. U. S. v. 81 Packages and Boxes of Gauze Pads. Default decrees of condemnation and destruction. (F. & D. Nos. 38460, 38487. Sample Nos. 11897-C, 12129-C.)

This product was adulterated and misbranded because it was represented to be sterile but in fact it was not sterile. It was misbranded further in that it was labeled to convey the impression that it was manufactured by a firm other than the actual manufacturer.

On October 27 and November 6, 1936, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 81 packages and 26 boxes of gauze pads at Providence, R. I., alleging that the article had been shipped in interstate commerce on or about August 25 and September 22, 1936, by the Handy Pad Supply Co. from Worcester, Mass., and charging adulteration and misbranding in violation of the Food and Drugs Act. A portion of the article was labeled: "Clafin's Dispenser Type Gauze Pads." The remainder was labeled: "Clafin's Gauze Pads Sterilized * * * Geo. L. Clafin Company * * * Providence, R. I."

The article was alleged to be adulterated in that its purity fell below the professed standard or quality under which it was sold (carton of a portion)

"Sterilized at 250 Fahr," and (remainder) "Sterilized," since it was not sterile but was contaminated with aerobic and anaerobic micro-organisms.

It was alleged to be misbranded in that the statements on the labels, (a portion) "Sterilized at 250 Fahr * * * Prepared For The Medical Profession," (remainder) "Sterilized," were false and misleading when applied to an article that was not sterile. The article was alleged to be misbranded further in that the statements "Geo. L. Clafin Co. * * * Providence, R. I.," with respect to a portion of the product, and the statements "Clafin's Gauze Pads" and "Geo. L. Clafin Co. * * * Providence, R. I.," with respect to the remainder, were false and misleading since Geo. L. Clafin Co., Providence, R. I., were not the name and address of the manufacturer.

On August 11, 1937, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

27705. Misbranding of Mineral Life. U. S. v. Henry E. Sampson and Sidney J. Dillon (Mineral Life Laboratories). Pleas of nolo contendere. Fines, \$40 and costs. (F. & D. No. 38595. Sample Nos. 1004-B, 41221-B.)

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

On March 25, 1937, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Henry E. Sampson and Sidney J. Dillon, co-partners trading as Mineral Life Laboratories, Des Moines, Iowa, alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about July 15, 1935, from the State of Iowa into the State of Texas, and on or about November 21, 1935, from the State of Iowa into the State of Minnesota of quantities of Mineral Life that was misbranded.

Analysis showed that the article consisted essentially of sulphur dioxide (0.1 percent), sulphuric acid (0.04 percent), small proportions of salts of sodium, potassium, calcium, magnesium, manganese, iron, and copper (amounting to 0.1 percent), and water (approximately 99.75 percent).

The article was alleged to be misbranded in that certain statements, designs, and devices regarding its therapeutic and curative effects, borne on the bottle label, falsely and fraudulently represented that it was effective as a vitalizer, as an aid in the relief of disease, and in the maintenance of body health; effective to assist nature in restoring and maintaining health, to increase body resistance to disease, to supply the blood with alkaline agents and the body with mineral elements, and to correct certain deficiency in diet; and effective as a treatment, remedy, and cure for inflammation, pain, ulceration, catarrh, sinus trouble, sore throat, and cuts.

On April 16, 1937, pleas of nolo contendere were entered by the defendants and the court imposed fines in the total amount of \$40 and costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

27706. Misbranding of Corn King Dry Insecticide. U. S. v. The Shores Co., Inc. Plea of guilty. Fine, \$25. (F. & D. No. 38639. Sample No. 63349-B.)

The label of this product bore false and fraudulent representations regarding its curative or therapeutic effects.

On February 15, 1937, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Shores Co., Inc., Cedar Rapids, Iowa, alleging shipment by said company in violation of the Food and Drugs Act on or about May 7, 1936, from the State of Iowa into the State of Minnesota of a quantity of Corn King Dry Insecticide that was misbranded. The article was labeled in part: "The Shores Company Cedar Rapids, Iowa."

Analysis showed that it consisted of a mixture of naphthalene, sulphur, calcium compounds, and small amounts of creosote oil, sodium fluo-silicate, nicotine (probably present as tobacco powder), and iron compounds.

The article was alleged to be misbranded in that certain statements, designs, and devices regarding its curative or therapeutic effects, borne on the package label, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for flu in hogs and roup in poultry.

The information charged that the article was also misbranded in violation of the Insecticide Act of 1910, reported in notice of judgment No. 1582 published under that act.