

27736. Adulteration and misbranding of bandages. U. S. v. 19 Dozen Packages of Self-Adhering Gauze Bandages (and 1 other seizure action). Default decrees of condemnation and destruction. (F. & D. Nos. 39703, 39731. Sample Nos. 20861-C, 20889-C.)

These products were represented to be sterile, but were not sterile since they contained viable micro-organisms, including gas-producing organisms. The labeling of the Self-Adhering Gauze Bandage bore false and fraudulent curative and therapeutic claims.

On June 12 and July 3, 1937, the United States attorney for the District of Rhode Island, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 24¾ dozen packages of bandages at Providence, R. I., alleging that the articles had been shipped in interstate commerce on or about April 16 and June 3, 1937, by the Hanover Sales Co. from Boston, Mass., and charging adulteration and misbranding of the articles in violation of the Food and Drugs Act as amended. The articles were labeled in part: "Fabco Self-Adhering Gauze Bandage * * * Fully Sterilized [or "Fabco Medicated Sterilized Bandage"] Fully sterilized * * * First Aid Bandage Co., Leominster, Mass."

The articles were alleged to be adulterated in that their purity fell below the professed standard under which they were sold in the following respects: The Self-Adhering Gauze Bandage was labeled, "Fully Sterilized," but was not sterile since it contained viable micro-organisms, including gas-producing organisms; the medicated sterilized bandage was labeled, "Sterilized Bandage * * * Dirt and Germ Proof," but was not sterile since it contained viable gram-positive sporulating aerobic and anaerobic gas-producing bacteria.

They were alleged to be misbranded in that the statement "Fully sterilized" with respect to the former and the statements "Sterilized bandage * * * Dirt and Germ Proof * * * First Aid Bandage Co.," with respect to the latter, were false and misleading when applied to articles which were not sterile. The Self-Adhering Gauze Bandage was alleged to be misbranded further in that the statement on the carton, "Use Fabco for all minor injuries," regarding its curative and therapeutic effects, was false and fraudulent.

On July 3 and August 11, 1937, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

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

27737. Misbranding of M-E Chlorine Solution. U. S. v. 19 Quarts of M-E Chlorine Solution. Default decree of condemnation and destruction. (F. & D. No. 39738. Sample No. 34124-C.)

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

On May 28, 1937, the United States attorney for the Northern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 19 quarts of M-E Chlorine Solution at Huntington, Ind., alleging that it had been shipped in interstate commerce on or about January 2, 1937, by the M-E Chemical Products Co. from Toledo, Ohio, and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted of an aqueous solution containing sodium hypochlorite (3.4 percent), sodium chloride, and small amounts of sodium hydroxide and sodium carbonate.

It was alleged to be misbranded in that the bottle label and a circular shipped with it contained false and fraudulent representations regarding its effectiveness in the treatment of colds, roup, canker, pip, diphtheria, chickenpox, infectious bronchitis, or other throat and head trouble, cholera, dysentery, white diarrhea and coccidiosis in poultry or other fowls, blackhead in turkeys and distemper in horses; its effectiveness in the treatment of open wounds, boils, animal bites, hives, eczema, itch caused by poison ivy, open sores, injuries from rusty nails, sore throat, trench mouth, hay fever, asthma, sinus troubles, sexual diseases, female weakness, ringworm, soft corns, ingrowing toenails, barber's itch, pimples, carbuncles, mouth infections, and ulcers, in human beings; its effectiveness in the treatment of cuts, scratches, ammonia poisoning, sore hocks, vent diseases, ulcers, abscesses, sore eyes, ear canker, colds, infectious bronchitis, pneumonia, and snuffles of rabbits; its effectiveness in the treatment of contagious abortion, retained afterbirth of cattle and failure to breed in cows, mares, and sows; its effectiveness to prevent infection from handling and eating wild and domestic meats, from gunshot wounds, and from metal

and oil; its effectiveness as a preventive of sexual diseases, and its effectiveness to stop the flow of blood from cuts or pimples. It also was charged to be adulterated and misbranded in violation of the Insecticide Act of 1910, reported in notice of judgment No. 1588 published under that act.

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

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

27738. Misbranding of Sal-I-Can. U. S. v. 39 Bottles of Sal-I-Can. Default decree of condemnation and destruction. (F. & D. No. 39860. Sample No. 22743-C.)

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

On June 17, 1937, the United States attorney for the Middle District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 39 bottles of Sal-I-Can at Valdosta, Ga., alleging that the article had been shipped in interstate commerce on or about October 27, 1936, by Dr. J. L. Davis, Irvine, Fla., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of salicylic acid, alcohol, acetone, and water.

The article was alleged to be misbranded in that the bottle and carton and the circular contained in the carton, bore false and fraudulent representations regarding its effectiveness in the treatment of ground itch, ringworm, creeping eruption, infected wounds, tetter, bunions, tumors, eczema, old and new sores, nail wounds, water poison, cuts, punctured wounds, muck poison, barber's itch, bruises, burns, and all forms of skin diseases; and its effectiveness for sores and wounds on horses, and leeches in horses, mules, and colts.

On July 31, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

27739. Misbranding of Ru-Ma. U. S. v. 33 Bottles of Ru-Ma. Default decree of condemnation and destruction. (F. & D. No. 39933. Sample No. 49020-C.)

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

On July 6, 1937, 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 33 bottles of Ru-Ma at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about May 13, 1937, by the Dr. Leonhardt Co. from Buffalo, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that it consisted essentially of an aqueous solution of iodides, salicylates, acetates, and a laxative plant drug.

The article was alleged to be misbranded in that the bottle label, carton, and a circular enclosed in the carton contained false and fraudulent representations regarding its effectiveness in the treatment of rheumatoid conditions, neuritis, neuralgia, gouty diathesis, aches, pains, stiffness, and soreness of muscles and joints.

On August 19, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

27740. Misbranding of Prieto Tonic. U. S. v. 50 Bottles of Prieto Tonic, (and 2 other seizure actions against the same product). Default decrees of condemnation and destruction. (F. & D. Nos. 39171, 39326, 39419. Sample Nos. 9580-C, 10181-C, 38808-C.)

This product was misbranded because of false and fraudulent curative or therapeutic claims in the labeling; and because it was labeled to convey the misleading impression that it was a remedy originating with the Indians, and composed of roots, herbs, and similar substances used by them.

On March 6, April 6, and April 24, 1937, the United States attorneys for the Northern District of California and the Southern District of California, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 50 bottles of Prieto Tonic at San Francisco, Calif., and 63 bottles of Prieto Tonic at Los Angeles, Calif.,