

On April 6, 1937, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Bleecker-Foster, Inc., St. Paul, Minn., alleging shipment by said company in violation of the Food and Drugs Act on or about April 15, 1936, from the State of Minnesota into the State of Wisconsin of a quantity of iodine ointment that was adulterated. The article was labeled in part: "G. F. Foster's Iodine Ointment * * * G. F. Foster Products Company, St. Paul."

The article was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the test laid down in the said pharmacopoeia, since it contained not more than 4.2 percent of iodine, and no potassium iodide; whereas the pharmacopoeia provides that iodine ointment shall contain not less than 6.5 percent of iodine and shall contain potassium iodide.

On April 6, 1937, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$5.

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

27746. Misbranding of Heinrich's Dermo Carbo Salve, Heinrich's Worm Tablets for Poultry, and Heinrich's Egg Producer and Poultry Tonic. U. S. v. Heinrich Chemical Co. Plea of nolo contendere. Fine, \$15. (F. & D. No. 38605. Sample Nos. 5165-C, 5166-C, 5167-C.)

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

On September 28, 1937, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Heinrich Chemical Co., a corporation, Minneapolis, Minn., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about June 17, 1936, from the State of Minnesota into the State of Wisconsin of quantities of the above-named products, which were misbranded. The articles were labeled: "Heinrich Dermo Carbo Salve, Heinrich Chemical Co."; "Heinrich's Worm Tablets for Poultry * * * Distributed by the Heinrich Company"; "Heinrich's Egg Producer and Poultry Tonic * * * Manufactured by Heinrich Chemical Co., Minneapolis, Minn."

Analyses showed that the salve consisted essentially of a small proportion of phenol (carbolic acid) incorporated in a petrolatum base; that the worm tablets consisted essentially of kamala, thymol, and nicotine; and that the "egg producer and poultry tonic" consisted essentially of plant material including middlings, a bitter principle and a pungent principle, cantharides, charcoal, sulphur, and compounds of calcium, iron, and phosphates.

The articles were alleged to be misbranded in that certain statements, designs, and devices regarding their therapeutic and curative effects, appearing in the labeling, falsely and fraudulently represented that the salve was effective as a treatment for sores, old sores, cuts, and wounds; that the worm tablets were effective as a treatment and remedy for tapeworms and roundworms in poultry; and that the poultry tonic was effective as an egg producer and poultry tonic; effective to keep birds in a healthy condition and to stimulate the production of eggs; effective as a preventive of disease, to keep the flock in a vigorous condition, and to ward off diseases of poultry; effective to make young chicks grow, to cause the digestive and assimilative organs to become more active, and to keep the health and vigor of chicks at the best; effective as a relief for chicken cholera, to induce appetite, to relieve nervousness, to produce vital energy, and to put poultry in a first-class condition; and effective to assist in rapidly restoring the vigor and egg-laying propensities of poultry.

On September 28, 1937, a plea of nolo contendere was entered on behalf of the defendant and the court imposed a fine of \$15.

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

27747. Misbranding of Heinrich's Pain-A-Way, Heinrich's Rheumatism Remedy, Heinrich's Medicated Ointment, and Heinrich's San-I-Cide. U. S. v. Heinrich Chemical Co. Plea of nolo contendere. Fine, \$30. (F. & D. No. 38597. Sample Nos. 63164-B, 63169-B, 63170-B, 63171-B.)

These products were misbranded because of false and fraudulent representations in the labeling regarding their curative and therapeutic effects. The ointment was misbranded further because of false and misleading representations regarding its alleged antiseptic properties; and the San-I-Cide because of false and misleading representations regarding its curative and therapeutic effects and the quantity of alcohol that it contained.