no cocaine, chloral, or opiates," (circular) "Headache powders * * * For the relief of headache and neuralgia * * * Directions: Place a powder on the tongue and take a swallow of water. If needed, take another powder in two hours. Always take a powder as soon as you feel the first symptoms of headache or neuralgia. * * * 'Headache powders work like a charm with me; have been a great sufferer all my life.' * * * 'have entirely relieved me of the old sick headache which has troubled me for years,'" were false and misleading in that they would mislead the purchaser to believe that the article was a safe and appropriate medicine for the treatment or relief of headache and neuralgia, whereas it was a dangerous drug when used as directed; and in that said statements were false and fraudulent since they would mislead the purchaser to believe that the article was a safe and appropriate medicine for the disorders claimed for it; whereas it was not a safe and appropriate treatment but was a dangerous drug when used as directed.

On September 22 and September 28, 1937, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

27919. Adulteration and misbranding of Sealtex. U. S. v. 9 Packages and 43 Packages of Sealtex. Default decree of condemnation and destruction. (F. & D. No. 40067. Sample Nos. 43438–C, 43439–C.)

This product was represented to be sterile; whereas it was not sterile but was contaminated with viable micro-organisms. Its label also bore false and fraudulent curative or therapeutic claims.

On August 12, 1937, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 9 50-cent packages and 43 25-cent packages of Sealtex at New Orleans, La., alleging that the article had been shipped on or about July 17, 1937, in interstate commerce by the Sealtex Corporation from Chicago, Ill.; and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

The article was alleged to be adulterated in that its purity fell below the professed standard or quality under which it was sold, (carton, 25-cent size, and leaflet, both sizes), "Sterilized," since it was not sterile but was contaminated with viable micro-organisms.

It was alleged to be misbranded in that the statement "Sterilized," appearing in the labeling, was false and misleading. It was alleged to be misbranded further in that the following statement, borne on the carton of both sizes, regarding its curative or therapeutic effects, was false and fraudulent: "Sealtex Replaces Adhesive Tape and Moleskin For Cuts, * * * Burns."

On October 8, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

27920. Misbranding of Zomogo Oil. U. S. v. 37 Bottles of Zomogo Oil (and 2 other seizure actions against the same product). Default decrees of condemnation and destruction. (F. & D. Nos. 40031, 40108, 40970. Sample Nos. 18803–C, 45801–C, 63023–C.)

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

On August 2, 1937, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 37 bottles of Zomogo Oil at West Plains, Mo. On August 13 and December 3, 1937, libels were filed against 31 bottles of Zomogo Oil at Harmony, Minn., and 31 bottles of the product at Keosauqua, Iowa. The libels alleged that the article had been shipped in interstate commerce by L. Zomogo Hood from Hot Springs, Ark., in various shipments on or about July 10, July 14, and October 16, 1937, and that it was misbranded in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of a mixture of oils, including petroleum oil, eucalyptus oil, mustard oil, clove oil, and cassia oil.

The libels alleged that the article was misbranded in that the statements on the bottle label, "Directions: Apply well over affected part. Read directions on circular carefully," and representations in a circular shipped with the article regarding its effectiveness in the treatment of tuberculosis of the lungs and spine, pellagra, asthma, rheumatism of all kinds, neuritis, sciatica, arthritis, influenza, lumbago, Bright's disease, dropsy, typhoid fever, smallpox, measles, chickenpox, eczema, rash, diabetes, deafness, earache, catarrh, headache, cancer,

pyorrhea, toothache, blood poison, dandruff, quinsy, diphtheria, sore throat, acute indigestion, gallstones, gall-bladder trouble, bite of black widow spider, lockjaw, kidney trouble, bloating, pneumonia, female trouble, coughs, spinal meningitis, bone abscess, nerve and heart trouble, blood poisoning, high blood pressure, convulsions, muric (sic) acid poisoning, carbuncles, and ovarian trouble, were false and fraudulent.

On September 28 and October 4, 1937, and January 13, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

27921. Misbranding of Clydesdale Ointment. U. S. v. 33 Jars of Clydesdale Ointment. Default decree of condemnation and destruction. (F. & D. No. 40068. Sample No. 31646–C.)

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

On August 18, 1937, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 33 jars of Clydesdale Ointment at Columbus, Ohio, consigned on May 26, 1937, alleging that the article had been shipped in interstate commerce by the George W. Bicknell Co. from Pittsburgh, Pa., and charging misbranding in violation of the Food and Drugs act as amended.

Analysis showed that the article consisted essentially of petrolatum with a small amount of volatile oils, including turpentine oil and a safrol-containing oil.

It was alleged to be misbranded in that the jar label and box and a circular shipped with it contained false and fraudulent representations regarding its effectiveness in the treatment of human beings for piles, including blind, bleeding, or itching piles, ulcers, old sores, skin trouble, corns, bunions, cuts, rheumatism, croup, sore throat, cuts, wounds, bruises, burns, scalds, bites of insects, reptiles, and beasts, croup, cough, sore throat, pain in side or chest, and lame back; and its effectiveness in the treatment of horses for galls, sores, cuts, cores from shoulder and back and sore neck, nails in foot, contracted sores, cracked or brittle foot, corns, thrush, and quitter or bealing on foot or heel.

On October 25, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

27922. Adulteration and misbranding of J. L. Filkins' Wonderful Wintergreen. U. S. v. 69 Bottles and 3 Bottles of J. L. Filkins' Wonderful Wintergreen. Default decree of condemnation and destruction. (F. & D. No. 40158. Sample No. 43730–C.)

The labeling of this product bore false and fraudulent representations regarding its curative or therapeutic effects. The designation "Wintergreen" was false and misleading in view of the composition of the article.

On or about September 3, 1937, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 69 small bottles and 3 large bottles of J. L. Filkins' Wonderful Wintergreen at Charleston, S. C., alleging that the article had been shipped in interstate commerce on or about June 5, 1937, by J. L. Filkins & Co., from Yonkers, N. Y., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of potassium iodide (2.5 percent), extracts of plant drugs including colchicine, alcohol, and water, flavored with methyl salicylate.

The article was alleged to be adulterated in that its strength and purity fell below the professed standard or quality under which it was sold, namely, "Wintergreen," since it did not consist of wintergreen.

It was alleged to be misbranded in that the designation "Wintergreen" and the design of a wintergreen plant, borne on the carton, were false and misleading in view of its composition. It was alleged to be misbranded further in that the bottle, carton, and circular contained false and fraudulent representations regarding its effectiveness in the treatment of muscular and articular rheumatism, lumbago, sciatica, neuralgia, neuritis, gout, and acute rheumatic fever.

On September 25, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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