

It was alleged to be misbranded further in that the statements, (carton) "The Mineral Oil Emulsion With Acidophilus * * * Dosage Adults: One to two tablespoonfuls twice a day. Children: One teaspoonful twice a day", were false and fraudulent since they created the impression that it was a therapeutically useful culture of acidophilus bacillus, whereas it was worthless as a culture of *Bacillus acidophilus* for therapeutic use. The article was alleged to be misbranded further in that the following statements on the carton, bottle label, and in an accompanying circular, regarding its curative or therapeutic effects, were false and fraudulent: (Carton) "For intestinal hygiene and any stomach or digestive disorder, such as constipation, auto-intoxication, indigestion and the like"; (bottle) "For Health make it a habit to evacuate the bowels at least twice every day"; (circular) "Hygem is an aid in promoting the practice of Intestinal Hygiene. Keeping the intestines free of accumulated waste food matter is of the utmost importance to the maintenance of health. If waste matter is allowed to stay in the bowels it becomes the breeding ground of bacteria which produce toxins (poisons) that are very destructive to body tissue, and which upset the normal functions of various organs in the body. * * * Hygem causes a normal bowel movement * * * the aciduric bacilli inhibits the growth of putrefactive bacteria and establishes a hygienic condition in the intestinal tract. * * * Hygem will assist you in establishing and maintaining this condition. Begin by taking one or two tablespoonfuls before retiring at night—regulate the amount so as to have two fully formed bowel movements every day. As the habit is established, gradually reduce the amount to a tablespoonful once or twice a week."

On April 12, 1937, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

27389. Misbranding of Allimin. U. S. v. 8 Small Packages and 11 Large Packages of Allimin. Default decree of condemnation and destruction. (F. & D. no. 39206. Sample no. 19447-C.)

The labeling of this product bore false and fraudulent curative and therapeutic claims.

On March 13, 1937, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 8 small packages and 11 large packages of Allimin at Sterling, Colo., consigned by the Van Patten Pharmaceutical Co., Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about January 15, 1937, and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that it consisted essentially of plant material including garlic.

The article was alleged to be misbranded in that the envelope containing the article and the accompanying leaflets, display material, and circulars bore false and fraudulent representations regarding its effectiveness in the treatment of high blood pressure and related conditions, auto-intoxication or self-poisoning, sick headaches, dizzy spells, shortness of breath, nervousness, dyspepsia, thoracic oppression, intestinal flatulence, and its effectiveness as an anti-septic, as a relief for coughs, and as an aid in the digestion and absorption of food.

On May 15, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

27390. Adulteration and misbranding of Estrone. U. S. v. 1 Package of Estrone. Default decree of condemnation and destruction. (F. & D. no. 39222. Sample no. 34997-C.)

This product had a potency of about 19 percent of that claimed on the label.

On March 15, 1937, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of one package of Estrone at Reading, Pa., alleging that it had been shipped in interstate commerce on or about November 10, 1936, by Endo Products, Inc., from New York, N. Y., and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that its strength fell below the professed standard or quality under which it was sold, namely, (carton and

vial) "25 cc. size * * * Estrone The contents represent approximately 6250 International Units of Ovarian Follicular, or Estrogenic Hormone", (circular) "Aqueous Solution—25 cc. Vial representing 6250 International Units", since the contents of the package did not represent approximately 6,250 international units of ovarian follicular or estrogenic hormone, but the article had a potency of 19 percent (1,188 international units) of that claimed on the label.

The article was alleged to be misbranded in that the above-quoted statements in the labeling were false and misleading when applied to an article that had a potency of 19 percent (1,188 international units) of that claimed on the label.

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

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

27391. Misbranding of Simmons' Cough Syrup. U. S. v. 85 Bottles of Simmons' Cough Syrup. Default decree of condemnation and destruction. (F. & D. no. 39223. Sample no. 30756-C.)

This product was represented to contain chloroform, but in fact it contained only a trace of, if any, chloroform. Its labeling bore false and fraudulent curative and therapeutic claims.

On March 25, 1937, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 85 bottles of Simmons' Cough Syrup at El Paso, Tex., alleging that the article had been shipped in interstate commerce on July 26, 1929, by the Allied Products Co., from Chattanooga, Tenn., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of ammonium chloride, sugar, vegetable extractives, and water. It contained but a trace of, if any, chloroform.

The article was alleged to be misbranded in that the statement on the carton and bottle, "3½ minims Chloroform to each ounce", was false and misleading when applied to an article that contained but a trace of, if any, chloroform. It was alleged to be misbranded further in that the following statements on the carton and bottle, regarding its curative and therapeutic effects, were false and fraudulent: (Bottle) "Antispasmodic * * * For the cough of catarrhal origin"; (carton) "Especially Prepared For The Relief of Coughs Whooping Cough Influenza Hoarseness And Sore Throat Asthma Bronchitis and Bronchial Affections."

On May 6, 1937, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

27392. Adulteration and misbranding of gauze bandage. U. S. v. 285 Packages of Gauze Bandage. Default decree of condemnation and destruction. (F. & D. no. 39245. Sample no. 32055-C.)

This product was represented to be sterile but in fact was contaminated with viable micro-organisms.

On March 22, 1937, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 285 packages of gauze bandage at Washington, D. C., alleging that the article had been shipped in interstate commerce on or about October 12 and 26, December 10 and 18, 1936, and January 4, 1937, by Approved Distributors, Inc., from Philadelphia, Pa., and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that its purity fell below the professed standard or quality under which it was sold, namely, (carton) "Gauze Bandage Sterilized", since it was not sterile but was contaminated with viable micro-organisms.

It was alleged to be misbranded in that the statement on the label, "Approved Products * * * Gauze Bandage Sterilized", was false and misleading when applied to an article that was not sterile but was contaminated with viable micro-organisms.

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

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