

27396. Misbranding of Lions Stock Remedy. U. S. v. 6 Cans of Lions Stock Remedy. Default decree of condemnation and destruction. (F. & D. no. 39313. Sample no. 33655-C.)

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

On April 5, 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 six cans of Lions Stock Remedy at Goshen, Ind., alleging that the article had been shipped in interstate commerce on or about November 13, 1936, by the Live Stock Remedy Co. from St. Louis, Mo., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article showed that it consisted essentially of powdered plant materials, including wormseed, together with sodium, iron, and magnesium sulphates and bicarbonates.

It was alleged to be misbranded in that the following statements appearing on the metal container, regarding its curative and therapeutic effects, were false and fraudulent: (Metal container) "An Ounce Of Prevention Is Better Than A Pound Of Cure * * * A Genuine Worm Destroyer And Conditioner For Horses, Cattle, Sheep, Hogs, And Poultry This Is a Worm Destroyer, Bowel Regulator And Conditioner And Should Be Used As A Preventive Remember A sick animal is hard to doctor unless you understand it. Begin in time to use Dr. Lions Stock Remedy as a preventive and save time and trouble. * * * Do this and you solve the disease problem. * * * Hogs In Apparently Good Condition Feed three tablespoonfuls of the remedy to every five hogs three times a week, or mix pint of remedy in gallon of salt, let them have access to it. Hogs Out Of Condition. * * * Worms. * * * Thumps. * * * Sheep. For worms * * * As a general conditioner * * * Horses. To destroy worms, distemper in first stage, or for horses out of condition, feed one to two tablespoonfuls twice a day, owing to the severity of the case. As a general conditioner feed tablespoonful three times a week. Cattle. As a general conditioner * * * Poultry. Feed two tablespoonfuls to each dozen fowls twice a week as a preventive. For Roup, Gapes or Cholera, feed more liberally. The remedy can be fed to poultry with good results by tying a half dozen spoonfuls in a cloth and lay in watering vessel, adding a fresh supply every ten days. * * * We believe In A Preventive And Worm Destroyer * * * Worms And Lice Are Admitted As The Stockmans Greatest Enemies Lions Remedy is manufactured for the purpose of destroying any and all kinds of Worms, and as a general condition. We have never heard of a single case of contagious disease where Lions Remedy, Dip and Dipping Tanks were used, and not only this, but enough extra gain will be produced to several times more than pay for cost. For Example—Divide a bunch of hogs in two lots, feed one pen Lions Remedy * * * At the end of thirty days turn the two bunches together and the improvement will be so noticeable that it will be no trouble to pick out every hog that received the treatment. We have thousands of customers who will attest to these facts. Doesn't it appeal to you as a business proposition to use our * * * Remedy?"

On June 10, 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.*

27397. Adulteration and misbranding of gauze bandage. U. S. v. 141 Packages of Dr. Scholl's Gauze Bandage. Default decree of forfeiture. Product delivered to a public institution. (F. & D. no. 39333. Sample no. 14631-C.)

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

On April 5, 1937, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 141 packages of Dr. Scholl's Gauze Bandage at Detroit, Mich., alleging that the article had been shipped in interstate commerce on or about August 19, 1936, by Scholl Manufacturing Co., Inc., Chicago, Ill., and charging adulteration and misbranding in violation of the Food and Drugs Act. It was labeled in part: "Dr. Scholl's Gauze Bandage * * * Sterilized after Packaging."

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

It was alleged to be misbranded in that the statement "Sterilized after Packaging" was false and misleading when applied to an article that was not sterile.

On May 5, 1937, no claimant having appeared, judgment of forfeiture was entered and the product was ordered delivered to the United States Detention Farm at Milan, Mich., after it had been ascertained that the bandages would be properly sterilized before being used and that the prison hospital was equipped to sterilize them.

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

27398. Misbranding of Wil-Du Rheumatism and Gout Medicine. U. S. v. 25 Bottles of Wil-Du Rheumatism and Gout Medicine. Default decree of condemnation and destruction. (F. & D. no. 39341. Sample no. 34973-C.)

This product contained alcohol in excess of the amount declared and its label bore false and fraudulent representations regarding its curative or therapeutic effects.

On April 6, 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 25 bottles of Wil-Du Rheumatism and Gout Medicine at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about August 1 and December 30, 1936, by the Wil-Du Medicine Co., from Woodbury, N. J., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample showed that the article consisted essentially of alcohol (67 percent by volume), water, and extracts of plant drugs including senna.

It was alleged to be misbranded in that the statements "Rheumatism and Gout Medicine A Positive Relief for Chronic and Acute Rheumatism and Gout Will relieve * * * if directions are followed. [design of invalid] * * * This preparation acts on all organs of the human body and assists nature in throwing off morbid substances that cause Acute and Chronic Rheumatism and Gout", regarding its curative and therapeutic effects, appearing on the bottle label, were false and fraudulent. It was alleged to be misbranded further in that the statement on the label, "Alcohol 50 pct", was false and misleading since it did not contain 50 percent of alcohol but did contain a greater amount.

On May 4, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

27399. Misbranding of Vi-Go-Ra Olive Oil Hair Tonic. U. S. v. 21 Units of Vi-Go-Ra Olive Oil Hair Tonic (and 1 other seizure action against the same product). Default decrees of condemnation and destruction. (F. & D. nos. 39342, 39628. Sample nos. 20550-C, 20845-C.)

The label of this product bore false and fraudulent representations regarding its curative or therapeutic effects. It also conveyed the impression that the article contained an appreciable amount of olive oil; whereas it contained not more than a trace of, if any, olive oil. The product contained undeclared alcohol.

On April 6 and May 20, 1937, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 21 units, each containing one 8-ounce and two 16-ounce bottles of Vi-Go-Ra Olive Oil Hair Tonic, at Boston, Mass., and 19 units and 6 separate 16-ounce bottles of the same product, at New Bedford, Mass., alleging that the article had been shipped in interstate commerce from Providence, R. I., in part on or about August 7, 1936, by the Vi-Go-Ra Co., and in part on or about April 10, 1937, by the Rhode Island Barber Supply Co., Inc., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "The Vi-Go-Ra Co., Providence, R. I."

Analyses showed that the article consisted essentially of alcohol (approximately 77 percent by volume), castor oil, a sulphonated oil, water, and a coloring material. It contained not more than a trace of, if any, olive oil.

It was alleged to be misbranded in that the statement "Olive Oil" on the label was false and misleading when applied to an article that contained not more than a trace of, if any, olive oil; in that the label failed to bear a statement of the quantity or proportion of alcohol contained in the article; and in that the