

label failed to bear a plain and conspicuous statement of the quantity or proportion thereof.

On or about March 18, 1937, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 456 bottles of Akalyn at Jackson, Miss., alleging that it had been shipped in interstate commerce on or about November 21, 1936, by the Medical Products Co., from New Orleans, La., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Akalyn * * * The Akalyn Company, New Orleans, U. S. A."

Analysis showed that it consisted essentially of acetophenetidin (3.2 grains per tablet), sodium salicylate (2 grains per tablet), magnesium oxide, starch, talc, and a red coloring material.

The article was alleged to be misbranded in that the package failed to bear on its label a statement of the quantity or proportion of acetophenetidin, a derivative of acetanilid, contained in the article since the statement made was inconspicuously placed and was in very small type. It was alleged to be misbranded further in that the following statements appearing in the labeling, regarding its curative or therapeutic effects, were false and fraudulent: (Metal container) "* * * for the Relief Of Pain from Headaches Neuralgia and Inorganic Causes * * * Akalyn a new safe preparation especially designed for use to relieve all forms of pain arising from Headaches, Neuralgia, Rheumatism, Etc. Akalyn is also efficient in the relief of Toothache. * * * and pain associated with Menstrual Disturbances * * * Is Non Narcotic and Non Habit Forming"; (circular) "* * * for the Relief of Pain from Headaches Neuralgia Rheumatism and Pain Associated with Menstrual Disturbances * * * The Alkaline Pain Preparation Akalyn is an Alkaline mixture indicated in the treatment for the relief of Headaches, Neuralgia, * * * And Pain Due To Inorganic Causes * * * and discomfort associated with menstrual disturbances. Doctors will tell you of the dangers of excess acidity. Akalyn contains No Acids, as many pain preparations do, and when taken internally is readily absorbed. Being Alkaline it has a tendency to reduce acidity. Grippe * * * Grippal conditions are usually accompanied by acidosis. Akalyn will be found very useful as a treatment to reduce this acid condition. * * * Further, Akalyn Contains No Narcotics Or Habit Forming Drugs. * * * Directions for Relief Of Pain and Discomforts In The Following Conditions Headaches: * * * Neuralgia: * * *"; (display carton) "* * * for relief of Headaches for relief of Neuralgia * * * for relief of Rheumatic Pain * * * For The Relief Of Pain."

On May 14, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

27554. Adulteration and misbranding of tincture of iodine. U. S. v. 28 Dozen Bottles of Tincture of Iodine. Default decree of condemnation and forfeiture. (F. & D. No. 89218. Sample No. 22549-C.)

This product contained not more than 5.88 grams of iodine per 100 cubic centimeters, whereas the United States Pharmacopœia provided that tincture of iodine should contain not less than 6.5 grams of iodine per 100 cubic centimeters.

On March 15, 1937, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 28 dozen bottles of tincture of iodine at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce on or about October 28, 1936, by the Certified Pharmacal Co. from New York, N. Y. and charging adulteration and misbranding in violation of the Food and Drugs Act. It was labeled in part: "Tincture U. S. P. Iodine * * * Certified Pharmacal Company."

The article was alleged to be adulterated in that it was sold under and by a name recognized in the United States Pharmacopœia, "Tincture Iodine," and differed from the standard of strength as determined by the test laid down therein, and its own standard of strength was not stated upon the container.

It was alleged to be misbranded in that the statement "Tincture U. S. P. Iodine" was false and misleading since the United States Pharmacopœia provides that tincture of iodine shall contain in each 100 cubic centimeters not

less than 6.5 grams of iodine: whereas the article contained less than 6.5 grams of iodine per 100 cubic centimeters.

On June 30, 1937, no claimant having appeared, judgment of condemnation and forfeiture was entered and the product was ordered destroyed.

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

27555. Misbranding of roundworm capsules. U. S. v. 152 Packages of Right-O Roundworm Capsules. Default decree of condemnation and destruction. (F. & D. No. 39279. Sample No. 15140-C.)

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

On March 30, 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 152 packages of Right-O Roundworm Capsules at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about February 1 and February 20, 1937, by Right-O Laboratories, from Battle Creek, Mich., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that it consisted essentially of oil of chenopodium, calomel, a laxative plant drug, sodium bicarbonate, and mineral oil.

The article was alleged to be misbranded in that the following statements regarding its curative or therapeutic effects, appearing in the labeling, were false and fraudulent: (Large carton) "Round Worm Capsules"; (small carton) "Roundworm Capsules For Expelling Roundworms and Pinworms in Pups, Dogs and Foxes * * * After first worming repeat treatment in 10 days in order to get the worms that were in egg form at first worming"; (circular) "Roundworm Capsules is the safe way to worm your dog, comprised of pure vegetable worm compound, it is very efficient in the elimination of Round and Pin Worms."

On June 7, 1937, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

27556. Misbranding of Pituipost ampuls. U. S. v. 182 Ampuls of Pituipost. Default decree of condemnation and destruction. (F. & D. No. 39280. Sample No. 30773-C.)

This product was labeled and invoiced to convey the impression that it was pituitary extract obstetrical. However, it had a potency not exceeding 25 percent of the requirement of the National Formulary for such product.

On April 1, 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 182 ampuls of Pituipost at El Paso, Tex., alleging that the article had been shipped in interstate commerce on or about March 4, 1937, by the Intra Products Co. from Denver, Colo., and charging misbranding in violation of the Food and Drugs Act. The article was described in the invoice as "2X 100a Pituitary Ext. Obst. 1cc #198."

It was alleged to be misbranded in that the statement on the label, "Pituipost * * * Obstetrical," was false and misleading since it conveyed the impression that the article was ampuls of pituitary extract obstetrical, an article described in the National Formulary; whereas it possessed a potency not exceeding 25 percent of the minimum requirement of the National Formulary for pituitary extract obstetrical. It was alleged to be further misbranded in that it was offered for sale in the invoice as "Pituitary Ext Obst," the abbreviation of the article, pituitary extract obstetrical.

On June 3, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

27557. Misbranding of methyl salicylate, alum, and sulphur. U. S. v. 34 Bottles of Certified Methyl Salicylate, et al. Default decrees of condemnation and destruction. (F. & D. Nos. 39287, 39288, 39289. Sample Nos. 35158-C to 35161-C, incl., 35163-C to 35165-C, incl., 37247-C.)

The labels of these products bore false and fraudulent curative and therapeutic claims.

On April 2, 1937, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in district court libels praying seizure and condemnation of 139 bottles of certified