

on or about May 7, 1936; the 30 cans at Oklahoma City, Okla., on or about February 1, 1936, from St. Louis, Mo.; and the 7 cases at Kansas City, Mo., on or about April 1, 1936, from Rahway, N. J.; and that it was adulterated and misbranded in violation of the Food and Drugs Act.

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 said pharmacopoeia, and its own standard was not stated on the label.

It was alleged to be misbranded in that the statement on the label, "Ether * * * U. S. P.", was false and misleading.

On July 8, 24, and 27, and October 20, 1936, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

26760. Adulteration of chloroform. U. S. v. 48 Bottles of Chloroform. Default decree of condemnation and destruction. (F. & D. no. 37813. Sample no. 68687-B.)

This article differed from the standard of strength, quality, and purity for chloroform as determined by the test laid down in the United States Pharmacopoeia, in that it contained substances decomposable by sulphuric acid, and its own standard was not stated on the label.

On June 29, 1936, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 48 bottles of chloroform at Oklahoma City, Okla., alleging that it had been shipped in interstate commerce on or about March 18, 1936, by Merck & Co., Inc., from St. Louis, Mo., and that it was adulterated and misbranded in violation of the Food and Drugs Act.

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 said pharmacopoeia, in that it contained substances decomposable by sulphuric acid, and its own standard was not stated on the label.

The article was alleged to be misbranded in that the statement on the label, "Chloroform * * * U. S. P.", was false and misleading.

On July 24, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

26761. Misbranding of Bowman's Red Lax-Tiv. U. S. v. 35 Dozen Bottles of Bowman's Red Lax-Tiv. Default decree of condemnation and destruction. (F. & D. no. 37748. Sample no. 68233-B.)

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

On or about May 21, 1936, the United States attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 35 dozen bottles of Bowman's Red Lax-Tiv at Richmond, Ind., alleging that the article had been shipped in interstate commerce on or about February 29, 1936, by the Bowman Bros. Drug Co., from Canton, Ohio, and that it was misbranded in violation of the Food and Drugs Act as amended.

Analysis of the article showed that it consisted essentially of emodin-bearing drugs and aloe.

The article was alleged to be misbranded in that the following statements, contained in a circular enclosed in the package, falsely and fraudulently represented that it was capable of producing the curative or therapeutic effect claimed in said statements: "The Pleasant Road to Health—Are you Sick? Lots of folks are, men, women, and children; and statistics show that about seventy-five percent of ordinary sickness can be traced either directly or indirectly to constipation which has become almost a national menace. When the muscles of the lower bowel fail to work, then the waste matter that has rested there becomes a fermenting mass of poisons which are then thrown back into the blood stream. This opens the body to all kinds of disease—adults become tired, nervous and ill tempered. Headaches and many other aches due to a poisoned blood stream, prevail. Appetite is lost and the entire system is open to most any germ that may attack it. Children become fretful, puny and feverish, making life miserable for themselves and parents. Want

to keep well? Most folks do. Then the best plan is to head off a large per cent of sickness by avoiding constipation. When this reeking poisonous mass of waste matter caused by constipation begins to cast off its poisons, these muscles of the lower bowel must be relaxed and the waste matter removed and cleaned out. This usually gives quick relief. There are many medicines for this purpose, most of them harsh and destructive in their action. However, a new modern Scientific Remedy is now at your service—that puts you back in Health Land over a pleasant Path. Use Bowman's Red Lax-Tiv Pills. They exert a healthy tonic-like action on the liver and bowel."

On July 25, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

26762. Misbranding of Arcady Roost Paint. U. S. v. 36 Quart Cans, 59 Pint Cans, and 48 Half-Pint Cans of Arcady Roost Paint. Decree of condemnation. Product released under bond to be relabeled. (F. & D. no. 37764. Sample no. 63129-B.)

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

On May 26, 1936, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 143 quart, pint, and half-pint cans of Arcady Roost Paint at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce in part on or about October 19, 1935, and in part on or about December 23, 1935, by the Arcady Laboratories, Inc., from Chicago, Ill., and charging misbranding in violation of the Food and Drug Act as amended.

Analysis of a sample of the article showed that it consisted chiefly of water, nicotine, coal-tar neutral oils, phenols, and rosin soaps.

The article was alleged to be misbranded in that the statement "For Poultry Health", borne on the can label, was a statement regarding the curative and therapeutic effects of the article and was false and fraudulent.

The libel also charged violation of the Insecticide Act of 1910, reported in notice of judgment no. 1513 published under that act.

On November 18, 1936, the Arcady Laboratories, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that the product be released under bond to be relabeled.

W. R. GREGG, *Acting Secretary of Agriculture.*

26763. Misbranding of Kojene. U. S. v. 12 Dozen Packages of Kojene. Default decree of condemnation and destruction. (F. & D. no. 37817. Sample no. 70798-B.)

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

On June 18, 1936, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 12 dozen packages of Kojene at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about May 14, 1936, by Kojene Products Corporation from Rochester, N. Y., and that it was misbranded in violation of the Food and Drugs Act as amended.

Analysis of the article showed that it consisted essentially of oxyquinoline sulphate, sulphur dioxide, and water flavored with methyl salicylate.

The article was alleged to be misbranded in that the statements appearing upon and within the package falsely and fraudulently represented that it was capable of producing the curative and therapeutic effects claimed in said statements: (Label on the bottle) "After extraction—to prevent infection, relieve soreness and promote healing—use one part Kojene to three parts warm water rinsing the mouth thoroughly every half hour. Kojene may be used full strength—as an aid in the treatment of Pyorrhea, Trench Mouth, Gingivitis, Soft Spongy Bleeding Gums—before and after instrumentation. * * * Ulcers—Old Sores, Skin Affections, use freely as above. Tonsillitis—Pharyngitis—Most Common Throat Affections. Dilute one part Kojene with two or three parts warm water and instruct the patient to gargle every hour"; (accompanying circular) "Important—The extraction of a tooth or other laceration of an oral membrane may be likened to a surgical operation following