

misleading, since it contained no ordinary (ethyl) alcohol, but consisted essentially of isopropyl alcohol, acetone, and water, and (2) in that the package failed to bear a statement on the label of the quantity or proportion of isopropyl alcohol contained therein.

On June 23, 1936, 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.*

**26512. Misbranding of Alco-Sponge-Rub Alcohol. U. S. v. 47½ Dozen Bottles of Alco-Sponge-Rub Alcohol. Default decree of condemnation and destruction. (F. & D. no. 87187. Sample no. 60935-B.)**

This case involved an interstate shipment of Alco-Sponge-Rub Alcohol the label of which represented that it consisted essentially of ordinary (ethyl) alcohol, when in fact it consisted essentially of isopropyl alcohol (approximately 80 percent), and contained a small proportion of acetone, methyl salicylate, water, and not more than 8 percent, if any, of ordinary (ethyl) alcohol.

On or about February 13, 1936, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 47½ dozen bottles of Alco-Sponge-Rub Alcohol at Hartford, Conn., alleging that it had been shipped in interstate commerce on or about January 4, 1936, by National Mart from New York, N. Y., and that it was misbranded in violation of the Food and Drugs Act.

The article was alleged to be misbranded in that the statements, appearing upon the label, "Alco-Sponge-Rub Alcohol \* \* \* For Massaging, Sponging and Customary External Uses of Alcohol", were false and misleading when applied to a product consisting essentially of isopropyl alcohol (approximately 80 percent), a small proportion of acetone, methyl salicylate, water, and not more than 8 percent, if any, of ordinary (ethyl) alcohol. The article was alleged to be misbranded further in that the label failed to bear a statement of the quantity or proportion of isopropyl alcohol contained in the article, since the statement "70 Proof Isopropyl" was meaningless.

On June 15, 1936, 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.*

**26513. Misbranding of Syl-Wey, Vege-trate Formula BF-1 (Tablets), and Vege-broth. U. S. v. 58 Boxes of Syl-Wey. U. S. v. 106 Boxes of Vege-trate Formula BF-1 (Tablets). U. S. v. 192 Boxes of Vege-broth. Consent decrees of condemnation. Products released under bond for relabeling. (F. & D. nos. 87266, 87267, 87268. Sample nos. 51626-B, 51627-B, 51628-B.)**

These cases involved an interstate shipment of Syl-Wey, Vege-trate Formula BF-1 (Tablets), and Vege-broth. The label of Syl-Wey bore false and misleading representations that each of the ingredients was of a food nature, and that it contained ergosterol derived from especially cultured nonfermentable, unspent brewer's yeast; and said label bore false and fraudulent representations regarding the curative or therapeutic effect of the article. The label of Vege-trate Formula BF-1 (Tablets) bore false and misleading representations that the article was compounded so as to retain valuable minerals, particularly calcium, phosphorus, iron, magnesium, sodium, potassium, and sulphur, as well as the natural chlorophyll of the vegetable leaf, including the concentrate of rhubarb; and said label bore false and fraudulent representations regarding the curative or therapeutic effects of the article. The label of Vege-broth bore false and misleading representations that the article was compounded so as to retain valuable minerals, including potassium, calcium, sodium, iodine, magnesium, sulphur, chlorophyll, etc., and that the article was a mineral broth; and said label bore false and fraudulent representations regarding the curative or therapeutic effects of the article.

On March 2, 1936, the United States attorney for the District of Columbia, acting upon reports by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia, holding a district court, a libel praying seizure and condemnation of 58 boxes of Syl-Wey, a libel praying seizure and condemnation of 106 boxes of Vege-trate Formula BF-1 (Tablets), and a libel praying seizure and condemnation of 192 boxes of Vege-broth at Washington, D. C. The libels alleged that the respective articles had been shipped in interstate commerce on