

used as directed; whereas in fact the article was not antiseptic when so used. Said article was alleged to be misbranded further in that statements regarding the curative and therapeutic effect of the article, appearing on the labels of the jars, falsely and fraudulently represented that the article was effective as a healing agent.

Dr. Browns Baby Oil was alleged to adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, since the article was represented on the label to be antiseptic and germicidal when used as directed; whereas in fact the article was not antiseptic or germicidal when so used. Said article was alleged to be misbranded in that the statements, "An Antiseptic", "Its germicidal and antiseptic properties give it the power to kill and prevent the growth of germs", "Directions Rub Dr. Browns Baby Oil over the baby's entire body as often as necessary", and "The antiseptic action * * *", borne on the labels of the bottles containing the article, were false and misleading in that they represented that the article was antiseptic and germicidal when used as directed, and that the article was antiseptic to kill and prevent the growth of germs; whereas in fact the article was not antiseptic or germicidal when so used, and the article did not have the power to kill or to prevent the growth of germs. Said article was alleged to be misbranded further in that statements regarding the curative and therapeutic effect of the article, appearing on the labels of the bottles, falsely and fraudulently represented that the article was effective to afford adequate protection against rash and skin irritations in the skin folds of babies.

Dr. Browns Food Lax was alleged to be misbranded in that the statements, "Food Lax", "Laxative Accessory Food", "food laxative", and "Food Lax is an accessory food, not a medicine"; borne on the package containing the article and contained in an accompanying circular, were false and misleading in that they represented that the article was a food product, and that it was a laxative accessory food and not a medicine; whereas, in fact, the article was not a food product, and was not a laxative accessory food. Said article was alleged to be misbranded further in that statements regarding the curative and therapeutic effect of the article, appearing on the labels of the packages and contained in an accompanying circular, falsely and fraudulently represented that the article was effective to regulate the bowels, to give new energy, health and pep, to increase vitality, to supply favorable media for the return of essential germ life in the intestines, to tone up and purify the whole intestinal tract, to remove poison-forming matter, and to improve digestion; effective as a treatment, remedy, and cure for loss of appetite, dull headaches, habitual constipation, and the many other ailments resulting therefrom; and effective as a treatment, remedy, and cure for auto-intoxication and ailments due to auto-intoxication or allied with constipation, such as indigestion, inactive liver, gas in bowels or stomach, pains after eating, backaches, rheumatism, catarrh, headaches, dropsy, heartburn, heart palpitation, confusion or dullness of mind, sexual weakness, fistula, hemorrhoids, feverish sensations, weak joints, obesity, thinness, deafness due to catarrh, gallstones, colitis, boils, pimples and other skin disorders, eyestrain, irritability, neuralgia, nervousness, neurasthenia, insomnia, prostatitis, pruritis, general debility, and sluggish bowels.

On February 5, 1936, a plea of guilty was entered on behalf of the defendant corporation as to the counts of the information that related to Dabon Brushless Modern Shaving Cream and Dr. Browns Baby Oil, a verdict of guilty was returned after trial of the counts of the information relating to Dr. Browns Food Lax, and the court imposed a fine of \$450.

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

26125. Misbranding of Ten-In-One. U. S. v. Glen France (France Drug Co.). Tried to the court. Judgment of guilty. Fine, \$220. (F. & D. no. 33953. Sample nos. 72513-A, 72514-A.)

This case involved interstate shipments of Ten-In-One the bottle labels of which and an accompanying circular and leaflet, bore and contained false and fraudulent statements regarding the curative or therapeutic effects of the article with respect to diseases of poultry.

On June 28, 1935, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Glen France trading as France Drug Co., Forest City, Mo., charging shipment by said defendant in violation of the Food and Drugs Act as amended on or about February 24 and March 15, 1934, from

the State of Missouri into the State of Nebraska of quantities of Ten-In-One that was misbranded.

Analyses of a sample from each of the shipments showed the article to be a hydroalcoholic solution of phenol and potassium chlorate; one sample also contained undissolved potassium chlorate.

The article in the shipment of February 24, 1934, was alleged to be misbranded in that statements regarding its curative and therapeutic effects, borne on the bottle labels and contained in an accompanying circular, falsely and fraudulently represented that the article was effective as a treatment, preventive, remedy, and cure for gapes, colds, croup, and other bronchial diseases of poultry; effective as a preventive for bronchial pneumonia; and effective to clear up the throat and lungs, reduce the fever, and improve the appetite. The article in the shipment of March 15, 1934, was alleged to be misbranded in that statements regarding its curative or therapeutic effects, borne on the bottle labels and contained in an accompanying leaflet, falsely and fraudulently represented that the article was effective as a treatment and preventive for roup, gapes, colds, flu, fever, discharge from nostrils, watery eyes, and bowel infection in poultry, and effective to keep poultry healthy. The article in both shipments was alleged to be misbranded in that it contained alcohol, and the label on the package failed to bear a statement of the quantity or proportion of alcohol contained therein.

On September 20, 1935, upon trial to the court, the defendant was found guilty and a fine of \$220 was imposed.

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

26126. Misbranding of Poultry Pox Remedy and Zink's White Diarrhoea Tablets. U. S. v. David E. Davis (Chicken Pharmacy). Plea of guilty. Fine, \$10. (F. & D. no. 33959. Sample nos. 72276-A, 73610-A.)

This case involved interstate shipments of Poultry Pox Remedy and Zink's White Diarrhoea Tablets the labels of which bore false and fraudulent representations regarding their curative or therapeutic effects.

On May 20, 1935, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against David E. Davis trading as Chicken Pharmacy, Petaluma, Calif., charging shipment by said defendant in violation of the Food and Drugs Act as amended on or about March 26, 1934, from the State of California into the State of Utah of a quantity of Poultry Pox Remedy, and on or about May 12, 1934, from the State of California into the State of Washington of a quantity of Zink's White Diarrhoea Tablets that were misbranded.

Analyses showed that the C. P. Poultry Pox Remedy consisted essentially of iron oxide, calcium sulphide and sulphur; and that Zink's White Diarrhoea Tablets consisted essentially of sodium sulphocarbolate, zinc sulphocarbolate, a small proportion of bismuth subsalicylate, talc, and water.

The Poultry Pox Remedy, contained in cans, was alleged to be misbranded in that statements regarding its curative and therapeutic effects, appearing on the label, falsely and fraudulently represented that the article was effective as a treatment, remedy, and cure for poultry pox, chicken pox, and sore-head; effective to eliminate worms and lice, effective to prevent decreased egg production. Zink's White Diarrhoea Tablets were alleged to be misbranded in that they were falsely and fraudulently represented to be effective as a treatment, remedy, and cure for white diarrhoea and all bowel troubles in little chicks.

On September 10, 1935, the defendant entered a plea of guilty and the court imposed a fine of \$10.

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

26127. Adulteration and misbranding of syrup of five bromides and elixir of iron, quinine, and strychnine; misbranding of elixir of pepsin and rennin compound. U. S. v. Standard Pharmacal Co. Plea of guilty. Fine, \$25 and costs. (F. & D. no. 34029. Sample nos. 56552-A, 56555-A, 56556-A.)

This case involved the following drugs: Syrup of five bromides that contained a smaller amount of combined bromides than declared; elixir of iron, quinine, and strychnine that was sold under a name recognized in the National Formulary but which differed from the formulary standard in that it contained iron and ammonium citrate in excess of the amount declared and quinine sulphate