

The article was alleged to be misbranded in that a statement on some of the metal containers of the article and statements on a small envelope and in a circular accompanying each of the packages, representing that the article was safe and harmless and would not interfere with the natural processes, were false and misleading, since the article was not safe nor harmless and might interfere with the natural processes. The article was alleged to be misbranded further in that statements regarding its curative or therapeutic effects, appearing upon and within the packages, falsely and fraudulently represented that the article was a safe and appropriate remedy for banishing, preventing, and relieving menstrual pains, for relieving simple headache, and other aches and pains, neuritis, neuralgia, rheumatism, lumbago, restless nerves, and sleeplessness.

On February 26, 1936, 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.*

26170. Adulteration and misbranding of Neosupracain Procaine-Epinephrine Solution. U. S. v. 4½ Packages of Neosupracain Procaine-Epinephrine Solution. Default decree of condemnation and destruction. (F. & D. no. 37189. Sample no. 57005-B.)

This case involved an interstate shipment of Neosupracain Procaine-Epinephrine Solution that contained procaine hydrochloride in a proportion greater than that represented on the label, and the label failed to bear a statement that chloretone contained in the article was a derivative of chloroform.

On February 14, 1936, 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 four and one-half packages of Neosupracain Procaine-Epinephrine Solution at Detroit, Mich., alleging that the article had been shipped in interstate commerce on or about December 10, 1935, by the Neosupracain Co., from Chicago, Ill., and that it was adulterated and misbranded in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that its strength fell below the professed standard or quality under which it was sold, namely, "Procaine Hydrochloride, U. S. P. 2%." The article was alleged to be misbranded in that the following statements were false and misleading: (Box) "2.5 cc (approx.) * * * "Procaine Hydrochloride, U. S. P. 2%"; (circular) "Procaine Hydrochloride, U. S. P. 2%." The article was alleged to be misbranded further in that the label failed to bear a statement that chloretone contained therein was a derivative of chloroform.

On March 7, 1936, 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.*

26171. Misbranding of Doran's Gape Remedy. U. S. v. 91 Cans of Doran's Gape Remedy, and 4 other libel proceedings against the same product, involving 235 cans thereof. Decree of condemnation, forfeiture, and destruction in each of the cases. (F. & D. nos. 37136, 37233, 37234, 37235, 27236. Sample nos. 18899-B, 56123-B, 56124-B, 56125-B, 56138-B, 56139-B.)

Therapeutic and curative claims were made for this article which were adjudged to be false and fraudulent.

On January 31 and February 24, 1936, the United States attorney for the Southern District of Ohio, acting upon reports by the Secretary of Agriculture, filed libels praying seizure and condemnation of 326 cans of Doran's Gape Remedy at Cincinnati, Ohio, alleging shipment of the article on or about February 24, June 14, July 5, July 22, and July 26, 1935, by Doran & Hicks, from Brandenburg, Ky., to Cincinnati, Ohio, and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of calcium arsenate (45 percent), calcium arsenite (3 percent), mineral matter, and a purple coloring material.

Misbranding of the article was charged under the allegations that the label upon the cans bore, and a leaflet enclosed in the cans contained, statements regarding the curative or therapeutic effect of the article; that the statements represented that the article would cure gapes in chickens and turkeys, that one or two applications thereof would cure gapes in chickens and that it would effect such cure through inhalation of the article by chickens and turkeys; that the said statements were false and fraudulent.

On April 7, 1936, no claimant having appeared, a default decree of condemnation and destruction was entered in each case.

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

26172. Misbranding of "Isopropyl Alcohol 70 Proof." U. S. v. 309 Bottles of "Isopropyl Alcohol 70 Proof." Default decree of condemnation and destruction. (F. & D. no. 37238. Sample no. 52195-B.)

This case involved an interstate shipment of an article described on the label as "Isopropyl Alcohol 70 Proof Hy-Grade Rubbing Alcohol Compound", which description conveyed the impression that the article contained ordinary (ethyl) alcohol, when it did not.

On February 25, 1936, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 309 bottles of an article, labeled "Isopropyl Alcohol 70 Proof Hy-Grade Rubbing Alcohol Compound", at Youngstown, Ohio, alleging that the article had been shipped in interstate commerce on or about January 16, 1936, by Pennex Products Co., Inc., from Pittsburgh, Pa., and that it was misbranded in violation of the Food and Drugs Act.

The article was alleged to be misbranded in that the statement on the label, "Rubbing Alcohol Compound", was false and misleading in that it created the impression that the article contained ordinary (ethyl) alcohol, and such impression was not corrected by the relatively inconspicuous statement, "The contents herein contained is prepared from Isopropyl Alcohol (CH₃CHOHCH₃). This preparation does not contain Ethyl Alcohol. If taken internally will cause violent gastric disturbances." The article was alleged to be misbranded further in that the package failed to bear upon its label a statement of the quantity or proportion of isopropyl alcohol contained therein, since the statement "Isopropyl Alcohol 70 Proof" was meaningless.

On April 9, 1936, 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.*

26173. Adulteration and misbranding of rubbing alcohol compound. U. S. v. 573 Bottles of Rubbing Alcohol Compound, and another libel proceeding against the same article. Default decree of condemnation, forfeiture, and destruction in each case. (F. & D. nos. 37264, 37265. Sample nos. 51452-B, 51453-B.)

This article failed to conform to its professed standard; its label bore erroneous statements concerning its composition, and the quantity or proportion of its alcoholic content was not declared.

On or about February 28, 1936, the United States attorney for the District of Maryland, acting upon reports by the Secretary of Agriculture, filed in the district court two libels praying seizure and condemnation of 573 and 501 bottles, respectively, of rubbing alcohol compound at Baltimore, Md., alleging, in the libel involving the 573 bottles, that the article had been shipped in interstate commerce on or about January 13, 1936, and in the libel involving the 501 bottles, that the article had been shipped in interstate commerce on or about January 11, 1936, by Bradley's, Inc., and the Bradley Co., respectively, from Philadelphia, Pa., to Baltimore, Md., and charging, in each libel, adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Shipment made on or about January 13, 1936, bottle) "Rubbing Alcohol Compound * * * Bradley Laboratory Philadelphia"; (shipment made on or about January 11, 1936, bottle) "Rubbing Alcohol Compound * * * Bradley Laboratory Philadelphia."

Analysis showed that the article shipped on or about January 13, 1936, consisted essentially of isopropyl alcohol (21.7 percent), acetone (9.5 percent), and water, perfumed; and that the one shipped on or about January 11, 1936, consisted essentially of a mixture of isopropyl alcohol (26.9 percent), acetone (13.5 percent), and water, perfumed.

Adulteration of the article in the shipment made on or about January 13, 1936, was charged under the allegation that its strength and purity fell below the professed standard and quality under which it was sold, namely, "Rubbing Alcohol", in that it did not contain ordinary (ethyl) alcohol, and that it consisted of a mixture of isopropyl alcohol, acetone, and water.

Misbranding of the article in the shipment made on or about January 13, 1936, was charged (a) under the allegation that the label bore the statement "Rubbing Alcohol Compound", and that said statement was false and mislead-