The article was alleged to be misbranded (a) in that it was composed in part of phenols and rosin prepared in imitation of fluidextract of ginger, U. S. P., and was offered for sale under the name of another article, to wit, fluidextract of ginger, U. S. P.; and (b) in that the article contained alcohol and the label failed to bear a statement of the quantity or proportion thereof in the article.

On August 19, 1935, Dolan, who had entered a plea of nolo contendere, was fined $20. On October 1, 1935, Gross, who had entered a plea of guilty, was fined $2.

M. L. WILSON, *Acting Secretary of Agriculture.*

25378. Misbranding of Feminex Tablets. U. S. v. Drug Store Products, Inc., and James Dawson Spurrier. Pleas of nolo contendere. Fines totaling $20 and costs. (F. & D. no. 32098. Sample no. 23412-A.)

Unwarranted curative and therapeutic claims were made for this article and its label bore erroneous statements.

On March 27, 1935, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Drug Store Products, Inc., Cleveland, Ohio, and James Dawson Spurrier, its president and treasurer, alleging shipment by them, in violation of the Food and Drugs Act as amended, on or about April 29, 1933, from Cleveland, Ohio, to San Francisco, Calif., of quantities of Feminex Tablets which were misbranded. The article was labeled in part: (Carton and bottle) "Feminex Tablets For Pain * * * Drug Store Products, Inc. Toledo, Ohio"; (box) "Feminex Is Recommended For * * * Periodic Pain * * * Backache"; (circular) Relieves Pain * * *."

Analysis showed that the article consisted of tablets containing, in each: Acetphenetidin (a derivative of acetanilid, 2.4 grains), acetylsalicylic acid (2.3 grains), caffeine, phenolphthalein, and starch.

The article was alleged to be misbranded (a) in that the label of the bottle and the carton bore false and fraudulent statements that the article was effective, among other things, as a remedy for pain and as a treatment for backache and periodic pain without bad after effects on the heart or stomach in women and girls; effective as a treatment for neuritis in women and girls; effective as a treatment for pains that discomfort women, such as backache and periodic pain; and (b) in that the following statements on the carton and the bottle label were false and misleading, to wit, (carton) "Acts * * * with no bad after effects" and "Safe", (bottle label) "Acts * * * with no bad after effects" and "Feminex Tablets give * * * safe relief", in that the article could not be taken safely with no bad after effects; (c) in that the article contained acetphenetidin (a derivative of acetanilid) and the package failed to bear upon its label a statement of the quantity or proportion of acetphenetidin contained in the article and a plain and conspicuous statement that acetphenetidin was a derivative of acetanilid; (d) in that a circular enclosed in the package contained false and fraudulent statements that the article was effective, among other things, as a treatment, remedy, and cure for periodic pain in women; and effective as a treatment, remedy, and cure for backache, toothache, rheumatism, neuritis, and the after effect of pain, and constipation following pain; effective as a treatment for intestinal stasis (a form of constipation) in women and girls; effective to relieve without fail any expected headache, backache, or periodic pain in women; and effective always to relieve pain and all pains; and effective in many instances to relieve pain in and around the teeth; (e) in that the following statements contained in the circular aforesaid were false and fraudulent, to wit, "Safe, reliable", "It acts * * * safely and without bad after effects whatsoever", in that said article could not be taken safely without any bad after effects whatsoever.

On March 21, 1936, a plea of nolo contendere having been entered, a fine of $20 was imposed and costs were awarded against the defendants.

M. L. WILSON, *Acting Secretary of Agriculture.*

25379. Adulteration and misbranding of quinine capsules. U. S. v. 11 Bottles of 5-Grain Quinine Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32699. Sample no. 68546-A.)

The label of this article bore erroneous statements concerning an essential ingredient.

On May 14, 1934, the United States attorney for the Middle District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district