

United States Department of Agriculture

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the Food and Drugs Act]

25026-25075

[Approved by the Acting Secretary of Agriculture, Washington, D. C., May 16, 1936]

25026. Misbranding of Old Homestead stock powder. U. S. v. Leo Vincent Hyde (Hyde Chemical Co.). Plea of nolo contendere. Fine, \$50 and costs. (F. & D. no. 30250. Sample no. 2678-A.)

This case involved a drug preparation the labeling of which contained unwarranted curative and therapeutic claims.

On December 18, 1933, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Leo Vincent Hyde, trading as the Hyde Chemical Co., Shenandoah, Iowa, alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about February 15, 1932, from the State of Iowa into the State of Wisconsin of a quantity of Old Homestead stock powder which was misbranded.

Analysis showed that the article consisted essentially of sodium sulphate, charcoal, sulphur, small proportions of sodium phosphate, sodium thiosulphate, calcium carbonate, and magnesium carbonate.

The article was alleged to be misbranded in that certain statements, designs, and devices regarding its therapeutic and curative effects, appearing on the sack label and in a circular shipped with the article, falsely and fraudulently represented that it was effective as a worm expeller; effective to aid in the prevention of disease; effective as a treatment, remedy, and cure for gas and fever in the stomach, and to assist the secretive cells of the stomach into more activity, to produce more digestive fluid for the stomach, and to keep the stomach sweet, strong, and healthy; effective to help every digestive organ to perform its proper duties; and effective to ward off the danger of bloat.

On October 1, 1935, the defendant entered a plea of nolo contendere and the court imposed a fine of \$50 and costs.

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

25027. Adulteration and misbranding of boric acid ointment and blue ointment. U. S. v. William D. Koster and Albert Springer (Petrolin Laboratories). Pleas of guilty. Fines of \$50 imposed on each count against each defendant; fines on all counts but first suspended as to both defendants. (F. & D. no. 32123. Sample nos. 42958-A, 42959-A.)

This case was based on interstate shipment of ointments which were represented to be of pharmacopoeial standard, but which differed from the standard laid down in the United States Pharmacopoeia. The labeling of the boric acid ointment was further objectionable since the article was not an antiseptic as claimed.

On May 28, 1935, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against William D. Koster and Albert Springer, copartners, trading as the Petrolin Laboratories, located at the time of shipment hereinafter mentioned at Brooklyn, N. Y., alleging shipment by said defendants in violation of the Food and Drugs Act on or about July 7, 1933, from the State of New York into the State of Pennsylvania of quantities of boric acid ointment and blue ointment which were adulterated and misbranded.