25067. Misbranding of Kurlene Eyelash Grower. U. S. v. 69 Packages of Kurlene Eyelash Grower. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31893. Sample no. 29780–A.)

Examination of the article seized in this action disclosed that it did not contain any ingredient or combination of ingredients capable of producing certain curative or therapeutic effects claimed for it in a circular enclosed in the package.

On January 26, 1934, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 69 packages of the said Kurlene Eyelash Grower at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about December 7, 1933, by the Kurlash Co., from Rochester, N. Y., to Los Angeles, Calif., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of mercuric oxide, salicylic acid, and petrolatum with a small amount of vanillin.

It was alleged in the libel that the article was misbranded in that circulars enclosed in the packages contained the following statements regarding the curative or therapeutic effects of the said article, which were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Small circular) "Originally the formula was perfected by a few medical men of Germany to combat a serious epidemic of granulated eyelids among the inhabitants of the community where they lived and which was leaving many without a trace of eyelashes. Not only did this marvelous preparation restore the eyelashes to the suffering people in that community but it gave relief to the sore and granulated lids as well"; (large circular) "Kurlene * * * by overcoming dandruff like flakes or granulated condition."

On September 18, 1935, no claimant having appeared, a judgment of condemnation, forfeiture, and destruction was entered.

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

25068. Misbranding of Pheno-Cosan. U. S. v. 43 Packages of Pheno-Cosan. Consent decree of condemnation, forfeiture, and destruction. (F. & D. no. 31961. Sample no. 33322–A.)

The carton containing the drug involved in this action bore an inaccurate statement, viz, that each jar thereof contained 1 ounce. Upon examination of the drug it was found that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the jar label and carton and in a circular within its package.

On February 10, 1934, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 43 packages of the said Pheno-Cosan at Birmingham, Ala., alleging that the article had been shipped on or about August 15, 1933, by the Whitney Payne Corporation, from New York, N. Y., into the State of Alabama, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Whitney Payne Corporation Penllyn, Pa. New York, N. Y."

Analysis showed that the article contained small proportions of a mercury compound, a salicylate, and tar, incorporated in an ointment base of fatty acids (25 percent) and water (75 percent). Other investigation showed that the weight of the contents of two of the packages (jars) was 0.56 and 0.68 ounce, respectively.

It was alleged in the libel that the article was misbranded in that the statement on the carton, "1 Oz. size", was false and misleading, and in that the following statements regarding the curative and therapeutic effects of the article, borne on the jar label and carton and appearing in a circular within its package, were false and fraudulent: (Jar label) "For Acute and Chronic Eczema * * * Eczema (also known as Tetter, Salt Rheum, Scaly Head, etc.) * * * are promptly eliminated by Pheno-Cosan. * * * Directions In eczema and other skin conditions * * * For * * * sores, etc."; (carton) "For Local treatment of Acute and Chronic Eczema"; (circular) "*In Infant Cases* Indicated in Acute or Chronic Eczema, Impetigo, * * * and Pruritis arising from Diabetes, Measles, or from any other cause. Applica-

tions may be from 2 to 6 daily, * * * rubbing gently till absorbed.]
scalp conditions."

On August 8, 1935, a consent decree of condemnation, forfeiture, ai
destruction was entered.

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

25069. Misbranding of Dr. S. C. Skeel's Coloni-Compound. U. S. v. Colo Laboratories, Inc. Plea of nolo contendere. Fine, $75. (F. & D. 32120. Sample no. 46534-A.)

Both the cartons and the bottle label of this drug bore unwarranted curati
and therapeutic claims.

On June 21, 1934, the United States attorney for the Eastern District of M
souri, acting upon a report by the Secretary of Agriculture, filed in the distri
court an information against the Coloni Laboratories, Inc., a corporation, S
Louis, Mo., alleging shipment by said company on or about May 31, 19
from the State of Missouri into the State of Texas of a quantity of Dr. Skee
Coloni-Compound that was misbranded in violation of the Food and Drugs A
The article was labeled in part: (Bottle and carton) "A vegetable prescripti
originated by Dr. S. C. Skeel and handed down to his daughter, Mrs. Clai
Skeel Rinehart."

Analysis of a sample of the article showed that it consisted essentially
extracts of plant drugs including a laxative drug, glycerin, alcohol, and wat

The article was alleged to be misbranded in that certain statements, desig
and devices regarding the therapeutic and curative effects thereof appearing
the bottle label and on the cartons that contained the bottles, falsely and fra
ulently represented that the article was effective, among other things, as
reconstituent for women; effective to stimulate the digestive organs, corr
defective nutrition, enrich the blood, and assist nature in invigorating the syst
when it is weakened, debilitated, exhausted, and anemic; effective as a rebuil
and general regulator for young girls approaching puberty; effective as a tre
ment, remedy, and cure for irregular or scanty menstruation, and delay of t
catamenia; effective as an aid in preventing abortions; effective as a tre
ment for sterility; and effective as a rebuilder for nursing mothers and to h
increase the flow of milk.

On June 30, 1934, a plea of nolo contendere was entered and a fine of $
was imposed.

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

25070. Misbranding of Prescription No. 69. U. S. v. Home Drug Co., a corpo tion. Plea of nolo contendere. Fine, $50. (F. & D. no. 32142. Sam no. 28547-A.)

This article contained no ingredient or combination of ingredients capable
producing certain curative and therapeutic effects claimed on its bottle label a
in a leaflet and circular within its package.

On September 24, 1935, the United States attorney for the District of Min
sota, acting upon a report by the Secretary of Agriculture, filed in the distr
court an information against the Home Drug Co., a corporation, Minneapo
Minn., alleging shipment by said company in violation of the Food and Dr
Act, on or about January 25, 1933, from the State of Minnesota into the St
of Illinois, of a quantity of Prescription No. 69 that was misbranded. T
article was labeled in part: (Bottle) "Home Drug Co. Minneapolis Prescript
No. 69 Alcohol .02% * * * Regular Price $2.00 per Bottle."

Analysis of a sample of the article showed that it consisted essentially
glycerin with small proportions of oxgall and bile acids.

It was alleged in the information that the article was misbranded in that
label of the bottles and a leaflet and circular within the package bore and c
tained false and fraudulent statements that the article was effective as a tre
ment, remedy, and cure for liver and gall-bladder trouble, gallstones and li
disorders; effective to clear up gallstone disorders; and effective as a treatm
for soreness or pain due to liver and bladder troubles.

On or about September 30, 1935, a plea of nolo contendere was entered
a fine of $50 was imposed.

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