

the State of California into the State of Texas of a quantity of Hydroxene which was misbranded.

Analysis by this Department showed that the article consisted essentially of a watery solution of zinc chloride and sodium chloride flavored with oil of peppermint.

The article was alleged to be misbranded in that certain statements, designs, and devices regarding its therapeutic and curative effects, appearing on the bottle labels, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for pyorrhea alveolaris (chronic periodontitis), trench mouth (Vincent's infection), sore throat, tonsillitis, bleeding or spongy gums, canker sores and eczema; and effective to keep the mouth healthy.

On March 28, 1935, the defendant entered a plea of nolo contendere. On April 15, 1935, the court ordered that defendant be placed on probation for 2 years.

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

**24509. Adulteration and misbranding of H. G. C. U. S. v. Acme Chemical Mfg. Co., Ltd., and William T. Jay. Pleas of guilty. Fines, \$100. (F. & D. no. 31439. Sample nos. 7072-A, 13225-A, 18286-A, 33634-A, 33692-A.)**

This case was based on various shipments of H. G. C., the labels of which contained unwarranted curative and therapeutic claims. The labels of two of the shipments also contained unwarranted antiseptic claims.

On July 26, 1934, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Acme Chemical Manufacturing Co., Ltd., a corporation, and William T. Jay, of New Orleans, La., alleging shipment by said defendants in violation of the Food and Drugs Act as amended, between the dates of February 10, 1932, and April 3, 1933, from the State of Louisiana into the States of Alabama, Mississippi, and Texas, of quantities of H. G. C., which was misbranded and portions of which were also adulterated.

Analyses showed that the article consisted essentially of borax, berberine, sulphate, and water. Bactericidal tests showed that the article was not antiseptic when used in accordance with directions in a leaflet accompanying certain shipments.

The information charged that the product in two of the shipments was adulterated in that it was represented to be antiseptic when used as directed, whereas it was not antiseptic when used as directed.

Misbranding was alleged for the reason that the statement, "Especially recommended as a Douche for Females Antiseptic" appearing in a leaflet accompanying two of the shipments, was false and misleading, since the said statement represented that the article was antiseptic when used as directed; whereas it was not antiseptic when used as directed.

Misbranding was alleged for the further reason that certain statements, designs, and devices regarding its therapeutic and curative effects, appearing on the bottle label and carton, and in a circular shipped with all lots and a leaflet shipped with certain lots, falsely and fraudulently represented that the article was effective as a treatment for male and female disorders; effective as an antiseptic, healing, and strengthening douche for females; and effective as a treatment for male and female disorders, when used as an injection for men and as a douche for women.

On January 7, 1935, the defendants were arraigned and entered pleas of not guilty. On January 30, 1935, motions to quash and for a bill of particulars were argued and overruled. On February 14, 1935, the defendants entered pleas of guilty and the court imposed fines totaling \$100.

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

**24510. Adulteration and misbranding of Yerkes White Liniment. U. S. v. Yerkes Chemical Co., Inc. Plea of guilty. Fine, \$25. (F. & D. no. 31460. Sample no. 30427-A.)**

This case was based on an interstate shipment of Yerkes White Liniment, the labeling of which bore unwarranted curative and therapeutic claims. Analysis showed that the article contained a smaller percentage of chloroform than declared.

On May 17, 1934, the United States attorney for the Middle District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Yerkes Chemical Co., Inc., Winston-Salem, N. C., alleging shipment by said company in violation of the Food and

Drugs Act as amended, on or about April 4, 1933, from the State of North Carolina into the State of Virginia of a quantity of Yerkes White Liniment which was adulterated and misbranded. The article was labeled in part: "Yerkes White Liniment \* \* \* Chloroform 5% \* \* \* Yerkes Chemical Co. \* \* \* Winston-Salem, N. C."

Analysis by this Department showed that the article consisted essentially of an emulsion containing fatty acids, ammonia (1.9 percent), turpentine, chloroform (3.3 percent), alcohol (3.5 percent by volume), and water.

The article was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold in that it was represented to contain 5 percent of chloroform; whereas it contained less than 5 percent of chloroform, namely, not more than 3.3 percent of chloroform.

Misbranding was alleged for the reason that the statement "Chloroform 5%", borne on the carton and bottle label, was false and misleading since the article contained less than 5 percent of chloroform. Misbranding was alleged for the further reason that the article contained chloroform and the label on the package failed to bear a statement of the quantity or proportion of chloroform contained therein. Misbranding was alleged for the further reason that certain statements regarding the therapeutic and curative effects of the article, appearing in the labeling, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for rheumatism, swelling or contraction of the muscles or leaders, backache, sore throat, soreness of the chest, lameness, stiff joints, swellings, soreness, and aches and pains of all kinds.

On November 5, 1934, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of \$25.

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

**24511. Misbranding of Mercurochrome, camphorated oil, spirit of camphor, tincture of iodine, extract of witch hazel, paregoric, and liquefied carbolic acid. U. S. v. Continental Drug Corporation. Plea of nolo contendere. Fine, \$210 and costs. (F. & D. no. 31472. Sample nos. 28929-A, 28930-A, 28932-A, 28934-A to 28937-A, incl.)**

This case was based on interstate shipments of drugs which were short volume. One of the products, spirit of camphor, contained less alcohol than declared on the label.

On July 25, 1934, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Continental Drug Corporation, Alton, Ill., alleging shipment by said company in violation of the Food and Drugs Act, on or about February 24, 1933, from the State of Illinois into the State of Kansas of quantities of Mercurochrome, camphorated oil, spirit of camphor, tincture of iodine, extract of witch hazel, paregoric, and liquefied carbolic acid which were misbranded. The articles were labeled in part: "Mercurochrome \* \* \* Continental Drug Corp. Alton ½ oz. Illinois"; "Camphorated Oil \* \* \* 2 Fld. Oz."; "Spirit Camphor \* \* \* Alcohol 86% \* \* \* 1 Fld. Oz."; "Tincture Iodine \* \* \* 1 Fld. Oz."; "Extract Witch Hazel \* \* \* 4 Fld. Ozs."; "Paregoric 1 Fld. Oz."; "Liquefied Carbolic Acid \* \* \* 1 Fld. Oz."

The articles were alleged to be misbranded in that the statements on the labels, namely, "½ oz" with respect to the Mercurochrome, "2 Fld. Ozs." with respect to the camphorated oil, "1 Fld. Oz." with respect to the spirit of camphor and paregoric, "1 Fld. Oz." and "1 oz" with respect to the tincture of iodine and liquefied carbolic acid, "4 oz." and "4 Fld. Ozs," with respect to the extract of witch hazel, were false and misleading since the bottles contained less than declared. Misbranding of the spirit of camphor was alleged for the further reason that the statement "Alcohol 86%", borne on the labels, was false and misleading since the product contained less than 86 percent of alcohol and for the further reason that it contained alcohol and the label failed to bear a statement of the quantity and proportion of alcohol contained therein.

On March 12, 1935, a plea of nolo contendere was entered on behalf of the defendant company and the court imposed a fine of \$210 and costs.

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

**24512. Misbranding of pine disinfectant. U. S. v. Hans V. Jansen (Jansen Soap & Chemical Co.). Plea of guilty. Fine, \$25. (F. & D. no. 31482. Sample no. 23753-A.)**

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