

by its consistent use \* \* \* Used in the daily toilet it is an excellent detergent." The libel filed in the Eastern District of New York charged that the article was misbranded with respect to its curative or therapeutic effects, since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

The Century Chemical Co. filed in the Eastern District of New York notice that it would not contest the case in that jurisdiction, and no claim or appearance was made in the other case. On October 10 and October 23, 1934, judgments of condemnation were entered and it was ordered that the product be destroyed.

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

**23300. Misbranding of Vapor Spray and Worm-A-Tonic. U. S. v. 22 Cans of Vapor Spray and 10 Cans of Worm-A-Tonic. Decree of condemnation. Products released under bond to be relabeled. F. & D. nos. 30745, 30746. Sample nos. 36392-A, 36393-A.)**

This case involved an interstate shipment of drug preparations, the labels of which contained unwarranted curative and therapeutic claims.

On July 20, 1933, 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 22 cans of Vapor Spray and 10 cans of Worm-A-Tonic at Plymouth, Mich., alleging that the article had been shipped in interstate commerce on or about March 24, 1933, by the Arcady Laboratories, from Chicago, Ill., and charging misbranding in violation of the Food and Drugs Act as amended.

Analyses of the samples showed that the Vapor Spray consisted essentially of two immiscible liquids (the lighter composed of eucalyptus oil and menthol, the heavier, of water), formaldehyde, compounds of potassium and manganese and gum; and that the Worm-A-Tonic consisted essentially of copper sulphate, iron sulphate, and plant drugs, including American wormseed, nux vomica, kamala, red pepper, ginger, areca-nut, and anise.

The articles were alleged to be misbranded in that the following statements appearing on the labels, regarding the curative or therapeutic effects of the articles, were false and fraudulent: (Vapor Spray) "For the flock treatment of poultry from baby chicks to adult birds, infested with common colds, roup, chicken pox, infectious bronchitis and similar ailments of the respiratory tract. \* \* \* Take badly infested birds in small room and spray them severally. It is very desirable to give the birds Arcady Worm-A-Tonic in conjunction with Arcady Vapor Spray to clear up any internal disturbances"; (Worm-A-Tonic) "Worm-A-Tonic for the flock treatment of poultry, from baby chicks to adult birds, infested with large round worms, tape worms, and similar complaints caused by internal parasites; for the prevention and control of coccidiosis; and for use as a tonic in restoring health and vigor in ailing flocks. \* \* \* Worming treatment \* \* \* Coccidiosis Treatment: For the prevention and control of coccidiosis \* \* \* Baby Chicks: Worm infection usually begins when chicks are about ten days old; as a worm preventative in baby chicks proceed as follows: Give two tablespoonfuls of Arcady Worm-A-Tonic to each gallon of drinking water for five consecutive days. \* \* \* For worm prevention. As a preventative for worm infection in birds from eight weeks to five months old." Misbranding of the Worm-A-Tonic was alleged for the further reason that the statement on the label, "Complies with pure food and drug law", was false and misleading.

On July 13, 1934, the Arcady Laboratories, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that the products be released to the claimant upon payment of costs and the execution of a bond conditioned that they be relabeled under the supervision of this Department.

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