

medicine made in Buffalo, N. Y. The label contained unwarranted curative and therapeutic claims.

On or about June 16, 1934, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,101 bottles of Wine of Chenstohow at Chicago, Ill., alleging that the article had been shipped in interstate commerce, on or about April 11, 1934, by the Centennial Wine Co., Inc., from Buffalo, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Bottle) "Wine of Chenstohow * * * Bon Vino Products Inc., Buffalo, New York"; (shipping carton) "Prepared By Chenstohow Medical Laboratories, Inc.;" "Centennial Wine Co., Inc., Buffalo, New York."

Analysis of a sample of the article by this Department showed that it consisted essentially of extracts of laxative drugs such as buckthorn, senna, and rhubarb, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the statements on the label and shipping containers, "Wine of Chenstohow", "Wino Czestochowski", or "Bon Vino Tonic", were false and misleading, since the article did not consist of wine and was not made at Chenstohow, Poland, but was manufactured in Buffalo, N. Y. Misbranding was alleged for the further reason that the following statements appearing in the labeling, regarding its curative and therapeutic effects, were false and fraudulent: (Bottle) "Health-Vigor Wine of Chenstohow is helpful for indigestion and regulates the bowels; * * * Which is the principle of health"; (shipping carton) "The Dawn of Health * * * Better appetite better digestion more vigor."

On August 14, 1934, Henry C. Struzynski and Myron H. Struzynski, trading as the National Cordial Co., Not Inc., Chicago, Ill., claimants, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant, upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned that it be relabeled.

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

22992. Adulteration and misbranding of Chalon Antiseptic Mouth Wash. U. S. v. 6 Dozen Bottles of Chalon Antiseptic Mouth Wash. Default decree of condemnation and destruction. (F. & D. no. 32857. Sample no. 38873-A.)

This case involved a product sold as an antiseptic mouth wash. Bacteriological examination showed that it was not an antiseptic.

On or about June 13, 1934, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 6 dozen bottles of Chalon Antiseptic Mouth Wash at Phoenix, Ariz., alleging that the article had been shipped in interstate commerce, on or about April 28, 1934, by Leading Perfumers, Inc., from New York, N. Y., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Chalon Antiseptic Mouth Wash * * * Chalon Laboratories, New York, N. Y."

It was alleged in the libel that the article was adulterated in that it fell below the professed standard and quality under which it was sold, "Antiseptic."

Misbranding was alleged for the reason that the statement "Antiseptic", borne on the label, was false and misleading.

On July 16, 1934, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

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

22993. Misbranding of Ora-Noid Mouth Powder. U. S. v. 22 Packages of Ora-Noid Mouth Powder. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32859. Sample no. 67864-A.)

This case involved a product which was labeled with unwarranted therapeutic claims.

On June 13, 1934, 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 a libel praying seizure and condemnation of 22 packages of Ora-Noid Mouth Powder at New York, N. Y., alleging that the article had been

shipped in interstate commerce, on or about April 14, 1934, by the Ora-Noid Co., from Chicago, Ill., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of table salt (50 percent), precipitated chalk (23 percent), and small proportions of baking soda and magnesium and potassium compounds, including phosphate and sulphate, flavored with cassia oil.

The article was alleged to be misbranded in that the following statements regarding its curative and therapeutic effects were false and fraudulent: (Carton) "Ora-Noid Mouth Powder is a Complete Oral Prophylactic in Itself. * * * it keeps the gums in condition; it strengthens all the tissues in the mouth including the tongue, the palate, the throat and the mucous membranes on the inside of the cheeks. The use of Ora-Noid Mouth Powder Alone, according to directions, performs the function of keeping the teeth, gums, tongue, mouth and throat * * * healthy. * * * It Expels Germs Through the operation of the law of osmosis, Ora-Noid Mouth Powder, when retained in the mouth for several minutes according to directions, draws the germs out of the crypts in the tissues. * * * Thus through a physical force, bacteria hidden away in these crypts of the mouth and tongue, which no antiseptic can reach, are flushed out and expelled without in any way having destroyed, killed, or impaired any tissue. Ora-Noid is an effective aid in the treatment of irritations of the membranes of the gums, mouth and throat including bad breath—in fact, wherever the tissues of the mouth and its accessory organs are involved"; (tin container) "Ora-Noid Mouth Powder * * * strengthens the gums. * * * Ora-Noid is an effective aid in the treatment of irritations of the membranes of the gums, mouth, and throat, including bad breath—in fact, wherever, the tissues of the mouth and its accessory organs are involved. * * * A solution of Ora-Noid Mouth Powder exerts a high osmotic pressure. It draws the fluids out of inflamed tissues, thereby relieving congestion and helps to restore the tissue to a normal healthy condition."

On July 3, 1934, no claimant having appeared, judgment of condemnation and forfeiture was entered, and destruction of the product was ordered.

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

22994. Misbranding of Cox-Cis. U. S. v. 3 Dozen Packages and 66 Packages of Cox-Cis. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 32791, 32860. Sample nos. 69137-A, 74551-A.)

These cases involved a product labeled to convey the impression that it was a preventive and treatment for coccidiosis of poultry. Analyses showed that it contained no medicinal agents effective for such purposes.

On May 31 and June 12, 1934, the United States attorney for the District of New Jersey, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 8½ dozen packages of Cox-Cis, in part at Camden, N. J., and in part at Vineland, N. J., alleging that the article had been shipped in interstate commerce, on or about February 16, 1934, by Kloister Laboratories, Inc., from Ephrata, Pa., 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 ground limestone with a small amount of betanaphthol.

It was alleged in the libels that the article was misbranded in that the statement on the label, "Cox-Cis For Poultry", was a statement regarding the curative or therapeutic effect of the article and was false and fraudulent.

On July 5 and July 20, 1934, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

22995. Misbranding of Smith's Germicide. U. S. v. 68 Bottles and 22 Bottles of Smith's Germicide. Default decree of forfeiture and destruction. (F. & D. no. 32868. Sample nos. 68397-A, 68398-A.)

This case involved a drug product that contained water in excess of the amount declared on the label and which was labeled with unwarranted curative and therapeutic claims.

On June 15, 1934, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 90 bottles of Smith's Germicide at Springfield, Mass., alleging that the article had been shipped in