On April 2, 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.*

22615. Misbranding of Cly-Tone Tonic. U. S. v. 10 Bottles of Cly-Tone Tonic. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32316. Sample no. 61958–A.)

Examination of the drug preparation Cly-Tone Tonic showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On March 19, 1934, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10 bottles of Cly-Tone Tonic at Dallas, Tex., alleging that the article had been shipped in interstate commerce, on or about February 7, 1934, by John L. O'Bannon, from Marion, Ill., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Cly-Tone Tonic * * * Manufactured by Clyde Collins Chemical Company, Incorporated, Memphis, Tenn."

Analysis of a sample of the article by this Department showed that it consisted essentially of Epsom salt, extracts of plant drugs, a small proportion of salicylic acid, an iron compound, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the bottle label and carton, regarding its curative and therapeutic effects were false and fraudulent: "Cly-Tone Tonic made for your health * * * Cly-Tone is highly indicated in the treatment of chronic constipation, indigestion, blood, stomach, kidney and functional disorders of the liver. Directions:—One or Two Tablespoonsful in one-half glass of water before meals until bowels act freely, then regulate dose according to actions. Children One-quarter to one-half teaspoonful [bottle] twice a day [carton] Twice daily."

On May 28, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture 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.*

22616. Misbranding of extract of witch hazel and petroleum jelly. U. S. v. 56 Bottles of Extract of Witch Hazel and 35 Jars of Petroleum Jelly. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 32325, 32326. Sample nos. 67091–A, 67092–A.)

These cases involved interstate shipments of extract of witch hazel and petroleum jelly, the labels of which bore unwarranted curative and therapeutic claims.

On March 17, 1934, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 56 bottles of witch hazel and 35 jars of petroleum jelly at Scranton, Pa., alleging that the articles had been shipped in interstate commerce, in various shipments on or about January 1, January 10, and February 13, 1934, by the Lander Co., from Binghamton, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Anaylses of samples of the articles by this Department showed that the extract of witch hazel consisted essentially of volatile witch hazel constituents, alcohol, and water, and that the petroleum jelly consisted of petroleum.

It was alleged in the libels that the articles were misbranded in that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the articles, were false and fraudulent: (Witch hazel) "An effective local remedy indicated in all cases of rheumatism * * * Piles, Hemorrhages, etc."; (petroleum jelly) "A reliable family remedy for * * * skin diseases * * * sprains, wounds, hemorrhoids * * * Etc."

On April 13, 1934, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

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