

22331. Misbranding of whisky. U. S. v. 500 Cases of Whisky. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 31820. Sample no. 56061-A.)

This case involved a shipment of whisky, the labels of which bore unwarranted curative and therapeutic claims.

On or about January 11, 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 500 cases of whisky at Chicago, Ill., alleging that the article had been shipped in interstate commerce, on or about November 22, 1933, by the American Medicine Spirits Co., Inc., from Louisville, Ky., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Old Grandad Bottled in Bond Since 1788 Whisky."

It was alleged in the libel that the article was misbranded in that the following statements on the carton, regarding the curative and therapeutic effects of the article, were false and fraudulent: "Meritorious in treating pulmonary conditions, la grippe, influenza, bronchitis, stomach complaints, malaria, typhoid and other low fever, * * * to render system immune from various diseases * * * Externally for ulcers."

On March 6, 1934, the American Medicinal Spirits Co., claimant, 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 \$15,000, conditioned that it be relabeled under the supervision of this Department.

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

22332. Misbranding of Skin Ease. U. S. v. 25 Boxes of Skin Ease. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31788. Sample no. 50759-A.)

Examination of a sample of Skin Ease showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On December 30, 1933, the United States attorney for the Middle District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 25 boxes of Skin Ease at Montgomery, Ala., alleging that the article had been shipped in interstate commerce, on or about June 16, 1931, by Osteen & Co., Inc., from Orlando, Fla., 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 salicylic acid (22.5 percent) incorporated in an ointment base including lard.

It was alleged in the libel that the article was misbranded in that the following statements on the box label, regarding the curative and therapeutic effects of the article, were false and fraudulent: "Skin Ease, A Guaranteed Remedy for Eczema * * * Tetter, Ground Itch, Barbers Itch, Itching Piles, Sore Blistered Feet * * * Directions Apply Small amount of Salve to affected parts."

On March 23, 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.*

22333. Misbranding of Parker's Stock Powder. U. S. v. Charles Edward Parker (Parker Homestead Co.). Plea of guilty. Fine, \$50 and costs. (F. & D. no. 30250. I. S. no. 50807.)

Examination of a sample of Parker's Stock Powder showed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On December 19, 1933, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Charles Edward Parker, trading as the Parker Homestead Co., Shenandoah, Iowa, alleging shipment by said defendant in violation of the Food and Drugs Act, as amended, on or about February 5, 1932, from the State of Iowa into the State of Missouri, of a quantity of Parker's Stock Powder which was misbranded. The article was