It was alleged in the libel filed in the Eastern District of Arkansas, that the article was misbranded in that the following statements regarding its curative or therapeutic effects were false and fraudulent: (Carton) "The Old Young * * * The Young Stronger * * * relief of Impotency"; (carton leaflet) "Increasing Masculine Vitality. * * * Strengthening of Masculine Vitality."

Misbranding was charged in the libel filed in the Western District of Louisiana, for the reason that the following statements regarding the curative and therapeutic effect of the article were false and fraudulent: (Carton leaflet) "An Immediate Aid to the Relief of Impotency, or for Increasing Masculine Vitality A Stimulant, Immediate in Its Effect * * * Directions: Several minutes beforehand or upon retiring, apply the contents of one white capsule to the regenerative organs, massaging well into the skin. Further applications from white capsules may be made as often as desired or found necessary, but never until the sensations created by the first have completely disappeared. Doubly effective results may be obtained by application of the special Yobiana ointment in the pink capsule six to eight hours beforehand, continuing with use of white capsules as described above"; (leaflet) "Aid to the Relief of Impotency and the Strengthening of Masculine Vitality Immediate In Its Effect The Old Young The Young Stronger * * * immediate aid in the relief of impotency. * * * The description of the product on the outer wrapper, as well as the directions for its use, are expressed in language best intended to describe its purposes and yet relieve it of all suggestiveness or vulgarity. The salesman will be glad to explain in terms best suited to each particular case the merits of his product. * * * effective for adults of any age. * * * when directions are carefully followed should produce results equal to your greatest expectations."

On June 12 and July 25, 1933, no claimant having appeared for the property, judgments of condemnation 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.*

21207. Misbranding of Oculum. U. S. v. The Hancock Inoculatum Co., Inc. Plea of nolo contendere. Fine, $10. (F. & D. no. 28162. I. S. no. 47613.)

Examination of the drug preparation Oculum disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the bottle and carton labels and in a circular shipped with the article.

On March 22, 1933, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Hancock Inoculatum Co., Inc., Salem, Va., alleging shipment by said company in violation of the Food and Drugs Act, as amended, on or about March 28, 1931, from the State of Virginia into the State of Indiana, of a quantity of Oculum which was misbranded.

Analysis of a sample of the article by this Department showed that it consisted essentially of turpentine colored with a yellow dye.

It was alleged in the information that the article was misbranded in that certain statements, designs, and devices appearing on the bottle and carton labels and in a circular shipped with the article, falsely and fraudulently represented that it was effective as a germicide for fowls and animals, as a preventive of disease, and as a treatment for sickness, in fowls and animals; effective as a germicide and tonic for poultry; effective as a remedy, preventive, and relief for cholera, roup, white diarrhea and sorehead, and to relieve gapes in poultry; effective to keep chicks and chickens well and to ensure healthy fowls and healthy eggs; and effective as a treatment, remedy, and cure for sickness in animals, and bowel trouble in poultry.

On July 5, 1933, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of $10.

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

21208. Misbranding of Bromo Paper. U. S. v. 10 Cases of Bromo Paper. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30692. Sample no. 23455-A.)

Examination of the product involved in this case disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On July 3, 1933, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10 cases of Bromo Paper at San Francisco, Calif., alleging that the article had been shipped in interstate commerce, on or about April 8, 1933, by the Diamond Mills Paper Co., from New York, N.Y., 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 of tissue paper impregnated with a small proportion of mineral oil and a very small proportion of phenol.

It was alleged in the libel that the article was misbranded in that the statement on the label and circular, regarding the curative or therapeutic effect of the article, "A Positive Preventive of that most distressing and almost universal complaint, the Piles", was false and fraudulent.

On July 25, 1933, 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.*

21209. Misbranding of Eyetex. U. S. v. 194 Boxes of Eyetex. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30413. Sample no. 35480–A.)

Examination of the drug preparation Eyetex disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the carton and envelop container.

On May 5, 1933, 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 194 boxes of Eyetex at Chicago, Ill., alleging that the article had been shipped in interstate commerce, on or about October 3, 1932, by the Mills Sales Co., from New York, N.Y., 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 table salt, baking soda, and borax with small proportions of thymol, sodium benzoate, sodium salicylate, and hydrastine, colored yellow.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects were false and fraudulent; (Carton) "Eyetex"; (envelop) "Eyetex An antiseptic to the eye Directions for using Moisten Eyetex pads well with warm water then place over eyes and fasten securely by tying strings at back of head. * * * For relief in severe cases of Granulated, Red or Inflamed eyes, Styes and Eyestrain, best results will be obtained by using Eyetex before retiring and allowing to remain on eyes until morning. * * * Eyetex used for one hour while resting will bring back the lustre and beauty to Tired, Drawn and bloodshot eyes. * * * Eyetex is a quick and efficient treatment."

On June 16, 1933, 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.*

21210. Misbranding of Alberty's Calcatine and Alberty's Liver Cell Salts (Alberty's Lebara Organic Pellets). U. S. v. 96 Dozen Packages of Alberty's Calcatine, et al. Consent decrees of condemnation and forfeiture. Products released under bond to be relabeled. (F. & D. nos. 30385, 30386, 30457, 30458. Sample nos. 34867–A to 34871–A, incl.)

Examination of the drug preparations involved in these cases disclosed that they contained no ingredients or combinations of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On May 1 and May 12, 1933, the United States attorney for the Eastern District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 156 dozen packages of Alberty's Calcatine, 30 dozen packages of Alberty's Liver Cell Salts, and 30 dozen bottles of Alberty's Lebara Organic Pellets, formerly Liver Cell Salts, at Philadelphia, Pa. It was alleged in the libels that the articles had been shipped in interstate commerce, in part from Hollywood, Calif., and in part from Los Angeles, Calif.; that the shipments had been made between the dates of March 25, 1932, and March 25, 1933, by U. S. Okey; and that the articles were misbranded in violation of the Food and Drugs Act as amended.