

recommended as a Blood Purifier and System Cleanser. Your Stomach, Bowels and Intestines must be free from these foreign matters if you wish to enjoy good health. This Tonic aids the natural digestive process through its prompt though gentle corrective action. Bodily nourishment is derived through the proper assimilation of wholesome foods. This preparation will build up a run down person in a very short time. * * * Live-On * * * Live-On Tonic Assists in Producing Digestive Juices. A Real Tonic And System Builder"; (circular) "'Live-On' Remedies * * * Live-On Tonic. Before I commenced taking this tonic I was all run down, thin and poor in flesh and had no appetite for anything. I commenced taking this medicine and continued taking it for some time and today I am strong, healthy and well. I recommend this medicine to anyone who is looking for a real tonic to build up a run-down system. * * * Live-On * * * Live-On Remedies * * * If you know your ailment, we urge you to select one of the Live-On Remedies to treat that ailment. Millions of people have now some to understand, that when they buy Live-on Remedies they buy health insurance of a splendid character. * * * Live-On—A Real Tonic and System Builder The Wonderful Tonic for * * * Biliousness, Loss of Appetite and Weight, Indigestion, Sluggish Liver and Bowels, Blood Purifier and System Cleanser. When tired or run down take Live-on Tonic, it will make you feel better and look better the year round. * * * Live-On."

On September 21, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was 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.*

21228. Adulteration and misbranding of hydrogen peroxide. U. S. v. 30 Dozen Bottles of Hydrogen Peroxide. Default decree of forfeiture and destruction. (F. & D. no. 30665. Sample No. 34528-A.)

The product in this case was represented to be 3-percent hydrogen peroxide, which would yield 10 times its volume of oxygen, the minimum standard for solution of hydrogen peroxide laid down in the United States Pharmacopoeia. Examination showed that the article was approximately 87 percent of the declared strength. Sample bottles were found to contain less than the labeled weight, 4 ounces.

On June 26, 1933, 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 30 dozen bottles of hydrogen peroxide at Holyoke, Mass., alleging that the article had been shipped in interstate commerce on or about October 11, 1932, by the Red Line Products Co., from Memphis, Tenn., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Genuine St. Joseph's Hydrogen Peroxide U. S. P. * * * A product of St. Joseph's Laboratories New York Memphis U.S.A."

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength and quality as determined by the test laid down in the said pharmacopoeia, and its own standard was not stated on the container. Misbranding was alleged for the reason that the following statements on the bottle label were false and misleading: "Hydrogen Peroxide U. S. P. 10 Vols. 3% * * * Active Ingredients H₂O₂ 3% * * * Contents 4 Fluid Ozs. St. Joseph's Hydrogen Peroxide meets the requirements of the United States Pharmacopoeia as to strength for general medicinal purposes as it is ten volume solution of H₂O₂."

On July 20, 1933, no claimant having appeared for the property, judgment of 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.*

21229. Adulteration and misbranding of drug tablets (Neuralgic No. 5, Caffeine & Salicylate Comp., Antipyrine & Soda Bromide, Nitroglycerin, and Special No. 3194). U. S. v. Charles Killgore. Plea of guilty. Fine, \$100. (F. & D. no. 29405. I. S. nos. 42769, 43509, 43776, 43780, 43781.)

This case was based on interstate shipments of drug tablets in which material shortages of one or more of the declared therapeutic agents were found.

On July 13, 1933, 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 an information against Charles Killgore, New York, N.Y., alleging shipment by said defendant in violation of the Food and Drugs Act, on or about October 29, November 11, December 2, and December 3, 1931, from the State of New York into the State of Connecticut, and on or about November 2, 1931, from the State of New York into the State of Massachusetts, of quantities of drug tablets which were adulterated and misbranded. The articles were labeled in part: "Neuralgic No. 5, Antifebrin, 2 grs."; "Caffeine and Salicylate Comp. Acetanilid, 2½ grs."; "Antipyrine & Soda Bromide. Antipyrine 1 gr. Soda Bromide 3 grs."; "Nitroglycerin 1-100 gr."; "Special #3194 Acetphenetidin 3 grs. * * * Manufactured By Charles Killgore * * * New York."

It was alleged in the information that the articles were adulterated in that their strength and purity fell below the professed standard and quality under which they were sold, as follows:

Each of the Neuralgic No. 5 tablets was represented to contain 2 grains of antifebrin, that is to say, 2 grains of acetanilid, whereas each of the said tablets contained less acetanilid, than declared, namely, not more than 1.76 grains of acetanilid;

Each of the caffeine and salicylate tablets was represented to contain 2½ grains of acetanilid; whereas each of the said tablets contained less acetanilid than declared, namely, not more than 2.177 grains;

Each of the antipyrine & soda bromide tablets was represented to contain 1 grain of antipyrine and 3 grains of soda bromide; whereas each of the tablets contained less of the said drugs than declared, namely, not more than 0.886 grain of antipyrine and not more than 2.70 grains of soda bromide;

Each of the nitroglycerin tablets was represented to contain 1/100 grain of nitroglycerin; whereas each of the tablets contained less nitroglycerin than declared, namely, not more than 0.00685 grain of nitroglycerin;

Each of the Special No. 3194 tablets was represented to contain 3 grains of acetphenetidin; whereas each of the tablets contained less acetphenetidin than declared, namely, not more than 2.661 grains of acetphenetidin.

Misbranding was alleged for the reason that the following statements on the labels of the various products, "Antifebrin 2 grs. * * * Tablets", with respect to the Neuralgic No. 5 tablets, "Acetanilid 2½ grs. * * * Tablets", with respect to the Caffeine and Salicylate Tablets, "Antipyrine 1 gr. Soda Bromide 3 grs. * * * Tablets", with respect to the Antipyrine and Soda Bromide tablets, "Nitroglycerin * * * Tablets" with respect to the nitroglycerin tablets, and "Acetphenetidin 3 gr * * * Tablets", with respect to the Special No. 3194 tablets, were false and misleading.

On July 31, 1933, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100 on each of the 10 counts and ordered that sentence be suspended as to counts 2 to 10 inclusive.

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

21230. Misbranding of Vapex. U. S. v. 35 Dozen Bottles, et al., of Vapex. Default decrees of forfeiture and destruction. (F. & D. nos. 29678, 29679, 29713. Sample nos. 16376-A, 16377-A, 16378-A, 16582-A.)

These cases involved various shipments of Vapex, a drug preparation. In one of the lots the label bore no declaration of the alcohol content, and in the remaining lots the declaration was not properly made. Tests of the article showed that it did not possess the bactericidal properties claimed in the labeling. It was also claimed for the article that it was made in England, whereas a part of the manufacturing process was carried on in this country.

On December 29, 1932, and January 4, 1933, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 207 dozen bottles of Vapex at Boston, Mass., alleging that the article had been shipped in interstate commerce, in various lots between the dates of September 30, 1932 and December 15, 1932, by E. Fougera & 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 volatile oils such as menthol and lavender oil (alcohol approximately 66 percent by volume), and water.

It was alleged in the libels that the article was misbranded in that the packages failed to bear upon the label a statement of the quantity or proportion of alcohol contained in the article, since no declaration appeared in one lot, and the remaining lots bore an inconspicuous statement of the alcohol content on the reverse side of the bottle label, and no statement appeared on the cartons.