29020. Misbranding of Spohn's Udder-Aid. U. S. v. 35 Cans and 251 Cans of Spohn's Udder-Aid. Default decree of condemnation and destruction. (F. & D. Nos. 41824, 41825. Sample Nos. 8295–D, 8297–D.)

The labeling of this product bore false and fraudulent curative and therapeutic claims.

On March 2, 1938, 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 286 cans of Spohn's Udder-Aid at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about November 8 and 26, 1937, and January 29, 1938, from Goshen, Ind., by the Spohn Medical Co.; and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of the article showed that it consisted essentially of petrolatum, a fatty oil, oil of eucalyptus, and alum.

The article was alleged to be misbranded in that the following statements appearing in the labeling falsely and fraudulently represented its curative and therapeutic effects since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "Contains Vitamin D ('The Sunshine Vitamin'), an aid in the treatment of minor wounds, cuts, scratches and burns. A healing aid for collar sores and harness galls. * * * Aids Healing For use in treatment of non-contagious garget (mastitis); caked, swollen, irritated, painful udders; * * * also for similar conditions following calving or high feeding. * * * affected quarters * * * to hasten relief."

On May 24, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29021. Adulteration and misbranding of sandalwood oil capsules. U. S. v. 33,600 Capsules of Sandalwood Oil. Default decree of condemnation and destruction. (F. & D. No. 42187. Sample No. 12536–D.)

This product was sold under a name recognized in the United States Pharmacopoeia but differed from the standard laid down therein since it consisted in part of a benzyl compound, a phthalate, and a terpineol; and its own standard was not declared.

On April 14, 1938, 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 33,600 capsules of sandalwood oil at New York, N. Y.; alleging that the article had been shipped in interstate commerce on or about November 12, 1937, from Detroit, Mich., by the Gelatin Products Co.; and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, namely, "Sandalwood Oil," but differed from the standard of strength, quality, and purity as determined by the test laid down in the said pharmacopoeia and its own standard of strength, quality, and purity was not stated upon the label.

Misbranding was alleged in that the statement on the container, "Sandalwood Oil," was false and misleading since it represented that the article was sandalwood oil; whereas it was not sandalwood oil but consisted in part of a benzyl compound, a phthalate, and a terpineol; and in that it was an imitation of and was offered for sale under the name of another article, namely, "Sandalwood Oil."

On May 7, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29022. Misbranding of Tree of Life Tonic. U. S. v. 18 Bottles and 25 Bottles of Tree of Life Tonic. Default decrees of condemnation and destruction. (F. & D. Nos. 41674, 41885. Sample Nos. 9264–D, 9270–D.)

The labeling of this product bore no declaration of the quantity of alcohol contained therein; but it did bear false and fraudulent curative and therapeutic claims.

On February 23 and March 18, 1938, the United States attorney for the Southern District of Mississippi, acting upon reports by the Secretary of Agriculture, filed in the district court two libels praying seizure and condemnation of 43 bottles of Tree of Life Tonic at Biloxi, Miss.; alleging that the article had been shipped in interstate commerce on or about December 14, 1937, from