

district court a libel praying seizure and condemnation of 13 boxes of sandalwood oil capsules at Lowell, Mass.; alleging that the article had been shipped in interstate commerce on or about March 22, 1938, from New York, N. Y., by Petroline Laboratories, Inc.; 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, and differed from the standard of strength, quality, and purity as determined by the tests laid down in the said pharmacopoeia, and its own standard of strength, quality, and purity was not stated on the label.

Misbranding was alleged in that the statement on the label, "Sandalwood Oil * * * (U. S. P.)," was false and misleading since it represented that the article was the volatile oil distilled with steam from the dried heartwood of *Santalum album* Linné, whereas it was not as represented since it contained a benzyl compound, such as benzyl alcohol, and terpineol. It was alleged to be misbranded further in that it was an imitation of and was offered for sale under the name of another article, namely, sandalwood oil.

On June 27, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29258. Misbranding of Sanettes (Mentholated Kerchiefs). U. S. v. 6½ Gross Packages of Sanettes. Default decree of condemnation and destruction. (F. & D. No. 41978. Sample No. 9867-D.)

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

On March 16, 1938, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 6½ gross packages of Sanettes at Philadelphia, Pa.; alleging that the article had been shipped in interstate commerce on or about December 18, 1937, and February 7, 1938, from Wheelwright, Mass., by San-Nap-Pak Manufacturing Co.; and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article showed that it consisted of tissue paper impregnated with menthol.

The article was alleged to be misbranded in that the following statements regarding its therapeutic or curative effects, borne on the carton, were false and fraudulent: "Useful during * * * hay fever and sinus irritations—Aids in clearing congested air passage."

On August 5, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29259. Misbranding of Trox Tablets. U. S. v. 45 Dozen Packages of Trox Tablets. Default decree of condemnation and destruction. (F. & D. No. 41900. Sample No. 15206-D.)

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

On March 16, 1938, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 45 dozen packages of Trox Tablets at Kansas City, Mo.; alleging that the article had been shipped in interstate commerce on or about December 21, 1937, from Denver, Colo., by Oxol Laboratories; and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article showed that it consisted essentially of charcoal, starch, magnesium carbonate, extracts of plant materials including saponins, and a small amount of oxyquinoline sulphate.

The article was alleged to be misbranded in that the following statements in the labeling falsely and fraudulently represented its curative and therapeutic effectiveness: (Carton and leaflet) "Recommended for the treatment of urinary infections, cystitis, and prostatic conditions."; (circular) "* * * are recommended in the treatment of cystitis, prostatitis and forms of urinary infection, such as venereal disease. The kidneys should be thoroughly flushed, at frequent intervals, when excessive amounts of alcoholic beverages are consumed. Excessive urination or suppression of urine is generally due to infection, the direct result of irritation. Trox Tablets produce a soothing effect to the urinary passages and due to the

content of Oxyquinoline, combined in the tablet, tend to produce a penetrating antiseptic influence, which is necessary to rid the body of accumulated toxic wastes."

On April 21, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29260. Adulteration and misbranding of belladonna ointment, Syrup Cherry Compound with Codeine, and thyroid tablets. U. S. v. Blackman & Blackman, Inc., and Theodore A. Blackman. Pleas of guilty. Fines: Corporation, \$200; individual, \$100. (F. & D. No. 36095. Sample Nos. 21845-B, 23663-B, 30653-B, 30925-B.)

This belladonna ointment was represented to conform to the standard laid down in the United States Pharmacopoeia but contained less extract of belladonna than specified in the said standard, and its own standard was not declared. The Syrup Cherry Compound with Codeine contained less chloroform and ammonium chloride than declared, and no antimony and potassium tartrate, which were declared ingredients. The thyroid tablets contained thyroid in excess of the amount declared.

On January 28, 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 an information against Blackman & Blackman, Inc., and Theodore A. Blackman, an officer of the corporation, alleging shipment by said defendants in violation of the Food and Drugs Act on or about February 5 and 19, March 22, and April 5, 1935, from the State of New York into the States of New Jersey and Ohio of quantities of the above-named products, which were adulterated and misbranded. The articles were labeled in part: "Premo Pharmaceutical Laboratories New York, N. Y."

The belladonna ointment was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the test laid down in said pharmacopoeia official at the time of the investigation, since 100 grams of the article contained less than 10 grams, i. e., not more than 9.15 grams of extract of belladonna, whereas the pharmacopoeia provides that belladonna ointment shall contain not less than 10 grams of extract of belladonna per 100 grams; and the standard of strength, quality, and purity of the article was not declared. It was alleged to be adulterated further in that its strength and purity fell below the professed standard and quality under which it was sold, since it was represented to be belladonna ointment which conformed to the standard laid down in the pharmacopoeia; whereas it was not. It was alleged to be misbranded in that the statement "Belladonna Ointment (Unguentum Belladonna U. S. P.)," borne on the label, was false and misleading.

The Syrup Cherry Compound with Codeine was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold since each fluid ounce of the article was represented to contain 2 minims of chloroform, 8 grains of ammonium chloride, and one-twelfth of a grain of antimony and potassium tartrate; whereas each fluid ounce of the article contained less than 2 minims, i. e., not more than 1.02 minims of chloroform; less than 8 grains, i. e., not more than 6.54 grains of ammonium chloride, and it contained no antimony nor potassium tartrate.

It was alleged to be misbranded in that the statements, "Syrup Cherry Compound * * * Each Fluid Ounce Contains: Chloroform 2 min. * * * Ammonium Chloride 8 grs. * * * Antimony and Potassium Tartrate $\frac{1}{12}$ gr.," were false and misleading.

The thyroid tablets were alleged to be adulterated in that their strength and purity fell below the professed standard and quality under which they were sold, since each of the tablets was represented to contain $\frac{1}{4}$ grain of thyroid; whereas each tablet contained more than $\frac{1}{4}$ grain, i. e., approximately $\frac{2}{5}$ grain of thyroid. (The two lots contained not less than 0.40 grain and not less than 0.38 grain, respectively, per tablet.)

They were alleged to be misbranded in that the statement "Thyroid Tablets $\frac{1}{4}$ Grain," borne on the label, was false and misleading.

Pleas of guilty having been entered by the defendants, on July 11, 1938, the corporation was sentenced to pay a fine of \$200; and on July 12, 1938, Theodore A. Blackman was sentenced to pay a fine of \$100.

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