additional 8 pounds the dose should be increased ½ ounce; that in the vent treatment for turkeys there should be at least 10 days between the 2 treatments, and that the 10 to 1 solution should be used but that one-third as much as recommended in the table should be given; and that the article was a safe as well as a sure worm expeller, which representations were false and misleading since the article was not efficacious for the purposes recommended.

On December 20, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DRUGS IN DECEPTIVE CONTAINERS[8]

106. Misbranding of quinine sulfate. U. S. v. 8 Dozen Bottles of Quinine Sulfate. Default decree of condemnation and destruction. (F. D. C. No. 630. Sample No. 65983–D.)

The containers of this product were deceptive, since the contents occupied approximately one-half of the available space in the bottle. Moreover, the bottles contained less than one-thirtieth of an ounce, the amount declared on the label.

On or about October 2, 1939, the United States attorney for the Northern District of Florida filed a libel against 8 dozen bottles of quinine sulfate at Tallahassee, Fla., alleging that the product had been shipped in interstate commerce on or about August 28, 1939, by South Georgia Manufacturing Co. from Blakely, Ga.; and charging that it was misbranded.

Misbranding was alleged in that the statement on the label, "1/30 of an ounce," was false and misleading when applied to an article that was short weight. It was alleged to be misbranded further in that its container was so filled as to be misleading.

On December 19, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

107. Misbranding of salicylic acid. U. S. v. 324 Packages of Salicylic Acid. Default decree of condemnation and destruction. (F. D. C. No. 1059. Sample No. 75531–D.)

The containers of this product were filled to slightly less than half their capacity. Weighings of the contents showed shortages from the declared weight in most of the samples examined.

On December 1, 1939, the United States attorney for the Eastern District of Kentucky filed a libel against 324 packages of salicylic acid at Stanford, Ky., alleging that the article had been shipped in interstate commerce on or about August 17, 1939, by the Cumberland Manufacturing Co. from Nashville, Tenn.; and charging that it was misbranded.

It was alleged to be misbranded in that the representation on the labeling that the packages contained three-eighths of an ounce was false and misleading since it was not correct. It was alleged to be misbranded further in that its container was so filled as to be misleading.

On January 8, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

108. Misbranding of Eye-Gene Eye Drops. U. S. v. 82 Packages of Eye-Gene Eye Drops. Default decree of condemnation and destruction. (F. D. C. No. 975. Sample No. 47985–D.)

The bottles containing this product occupied only 33.17 percent of the capacity of the carton.

On November 14, 1939, the United States attorney for the District of Maryland filed a libel against 82 packages of Eye-Gene Eye Drops at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about September 29, 1939, by Pearson Pharmacal Co., Inc., from New York, N. Y.; and charging that it was misbranded in that its containers were so made, formed, or filled as to be misleading.

On December 6, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

109. Misbranding of Locorol. U. S. v. 23 Packages of Locorol. Default decree of condemnation. (F. D. C. No. 919. Sample No. 47982–D.)

The tubes containing this product occupied only 23.8 percent of the volume of the carton.

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[8] See also N. J. Nos. 90, 93, and 94.