

health and vigor; and the labeling in one shipment contained the further representations that the article would improve the condition of the heart and appendix, would induce good sleep, eliminate pain in the liver; would be efficacious in the treatment of cardiac rheumatism, bloating of the stomach, constant belching, diabetic gangrene, would aid one in gaining weight, aid the digestion, benefit the kidneys, induce sleep and eliminate gangrenous infection in the feet, which representations were false and misleading since the article was not efficacious for the purposes recommended.

On April 2 and May 29, 1940, no claimant having appeared for the lots seized at San Francisco, Calif., and Seattle, Wash., judgments of condemnation were entered and the two lots ordered destroyed. On May 10, 1940, Henry Legler, Boise, Idaho, claimant for the lot seized at Boise, Idaho, having consented to the entry of a decree, judgment of condemnation was entered and the said lot was ordered released under bond, conditioned that it be relabeled in compliance with the law.

**215. Adulteration and misbranding of Germ-I-Tabs. U. S. v. 1½ Dozen Boxes of Germ-I-Tabs. Default decree of condemnation and destruction. (F. D. C. No. 1915. Sample No. 6325-E.)**

The labeling of this product bore false and misleading representations regarding its antiseptic and germicidal properties and its efficacy in the treatment of the conditions indicated below.

On May 18, 1940, the United States attorney for the District of Montana filed a libel against 1½ dozen boxes of Germ-I-Tabs at Butte, Mont., alleging that the article had been shipped in interstate commerce on or about January 3, 1940, by Esteys, Inc., from Seattle, Wash.; and charging that it was adulterated and misbranded.

Analysis showed that it consisted of tablets containing starch and 22.40 percent of sodium paratoluenesulfonchloramide (chloramine-T). Bacteriological tests showed that it was not an antiseptic or germicide in the dilutions recommended.

The article was alleged to be adulterated in that its strength differed from that which it purported or was represented to possess, namely, "Antiseptic."

Misbranding was alleged in that the labeling bore representations that it was an antiseptic and would prevent infection; that it was the modern antiseptic for professional and home use; that it was a convenient means of always having an ample supply of an effective germicide, antiseptic, and personal deodorant; was very effective in destroying objectionable germs; that it would retain its strength in ordinary stoppered bottles over a period of many months; that it was advisable to make up a solution by dissolving one tablet in a small bottle of water and that when only a small amount of the solution was needed enough water should be added to make the strength desired, which method was especially recommended in the home or shop where solutions are frequently used for treatment of cuts, scratches, or for a mouthwash or gargle; that it was efficacious in the treatment of acne (pimples), etc., which representations were false and misleading since the article was not efficacious for the diseases and conditions so stated in the labeling.

On July 30, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**216. Misbranding of Parker's Hair Balsam. U. S. v. 19 Dozen Retail Packages of Parker's Hair Balsam. Default decree of condemnation and destruction. (F. D. C. No. 1832. Sample No. 174-E.)**

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated below.

On April 18, 1940, the United States attorney for the Northern District of Georgia filed a libel against 19 dozen packages of Parker's Hair Balsam at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about August 26, 1939, and January 27, 1940, by Hiscox Chemical Works from Patchogue, N. Y.; and charging that it was misbranded.

Analysis showed that it consisted essentially of lead acetate, sulfur, water, and glycerin, together with perfume materials.

The article was alleged to be misbranded in that the labeling contained representations that baldness is only a question of time unless means be taken at once to arrest the decay of the root [of the hair], or to restore the scalp to its proper condition of softness and cleanliness and that the hair would not only fall out, but the bulbs themselves would become atrophied and in-

capable of producing hair, that in order to prevent the hair from falling out or becoming harsh and brittle, it is very necessary to keep the scalp free from dandruff scales and in a soft and pliant condition, that the said article would be found helpful for this purpose; that it would supply the requisite moisture to the scalp and hair and would enable one to avoid premature grayness or loss of hair by giving the scalp care and attention, that it would promote a condition favorable to hair growth and that if the hair or scalp was in a bad condition the said article was just what was needed, which representations were false and misleading.

On May 13, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

**217. Misbranding of Axine Plates. U. S. v. 19 Sets of a device called Axine. Default decree of condemnation and destruction. (F. D. C. No. 825. Sample No. 72023-D.)**

The labeling of this product bore false and misleading representations as indicated hereinafter.

On or about November 9, 1939, the United States attorney for the Western District of Missouri filed a libel against 19 sets of Axine Plates at Higginsville, Mo., alleging that the article had been shipped in interstate commerce on or about September 30, 1939, by W. Gordon Pervis from Tennille, Ga.; and charging that it was misbranded.

Examination showed that the device consisted of two metal plates made of copper and zinc, respectively, which were to be worn in the shoes of the user, a plate in each shoe.

The article was alleged to be misbranded in that its labeling bore representations that it would produce health and vigor by means of electricity in the human body; would relieve the stiffness of old age and make one feel young again; would rid the blood of uric acid; would be efficacious in the mitigation, treatment, and prevention of high blood pressure, low blood pressure, headache, asthma, paralysis, kidney trouble, rheumatism, diabetes, eczema, cold hands and feet, and poor circulation; and would be efficacious "to draw the acid from the larynx gland and thus stop excessive coughing of asthma," which were false and misleading since the said article would not be efficacious for the said purposes.

It was alleged to be misbranded further in that its labeling represented that uric acid forms in the stomach, that it forms as the result of eating food that disagrees with the stomach, that the acid then filters through the blood and travels through the blood as a very fine crystal; that the device consisted of a composition of metals "which would act upon the human electricity and would make the human electricity fast"; that the device would heat the blood about 2 degrees and thus dissolve uric acid in the blood; that uric acid would pass through the blood into the said device; that the cause of high blood pressure is the uric acid crystals stopping in the arteries, hardening of the arteries, and enlarging the heart; that the device would stimulate one's own electric current; that the electric current would pass through the brain and dissolve and draw away clot on the brain; that uric acid stiffens the prostate gland; that because of uric acid the prostate glands stand open and will not "pan down"; that failure of the prostate glands to "pan down" causes diabetes; that the device would produce heat by the metals' acting as a battery on the human electricity and that the heat thus produced would cause the prostate gland to "pan down" and relieve the patient entirely, which representations were false and misleading.

On March 25, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

**218. Misbranding of foot exerciser. U. S. v. 70 Retail Packages of H & H Foot Exercisers. Default decree of condemnation and destruction. (F. D. C. No. 2157. Sample No. 16801-E.)**

This article consisted of a wooden roller. Its labeling bore false and misleading representations regarding its efficacy in the conditions indicated below.

On or about June 7, 1940, the United States attorney for the Western District of Missouri filed a libel against 70 retail packages of H & H Foot Exercisers at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about April 29, 1940, by the Hussmann-Holmes Co. from El Paso, Tex.; and charging that it was misbranded.

The article was alleged to be misbranded in that the labeling bore representations that it was efficacious in the treatment of weak arches, flat feet, metatarsal