

United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. Alsberg, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 8751-8800.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., April 30, 1921.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

8751. Misbranding of Malydor Injection. U. S. * * * v. 5 $\frac{3}{4}$ Dozen Bottles of Malydor Injection. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10813. I. S. No. 13305-r. S. No. E-1602.)

On July 3, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 $\frac{3}{4}$ dozen bottles of Malydor Injection, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by the Malydor Mfg. Co., Lancaster, Ohio, on or about May 7, 1919, and transported from the State of Ohio into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a zinc salt, phenol, boric acid, acetanilid, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing on the cartons containing the article and in the accompanying circulars, regarding the curative and therapeutic effects, to wit, (carton) "Injection Malydor the Hygienic Lotion for male & female * * * remedy for Diseases of the Orificial Passages as Gonorrhœa, Gleet, Leucorrhœa," (circular) "Malydor Injection. The Perfect Private Physician for male and female * * * Remedy for * * * Piles * * * in Treating Gonorrhœa, Gleet, etc. * * * Syphilis Treatment—Locally—Use Injection Malydor * * * Chancroids, Soft Chancres * * * Gonorrhœa and Nasal Catarrh prevailing at the same time indicate a constitutional catarrhal condition needing * * * Treatment—Locally—Use * * * Injection Malydor * * *," were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On July 25, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8752. Misbranding of Santal Bowne. U. S. * * * v. 12 Dozen Boxes of Santal Bowne. Default decree of condemnation, forfeiture, and destruction. (F. & D No. 10838 I. S. No. 13965-r. S. No. E-1641.)

On July 11, 1919, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 dozen boxes of Santal Bowne, at Paterson, N. J., alleging that the article had been shipped by the General Drug Co., New York, N. Y., on or about November 4, 1916, and transported from the State of New York into the State of New Jersey, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Wrappers on boxes) "A compound made from Pure Santal Oil. * * * Imported for Fred'k T. W. Bowne * * * Cor. Market and Straight Streets * * * Paterson, N. J.;" (circular) "As soon as the symptoms of Gonorrhoea declare themselves and without waiting for the inflammation to subside, from ten to twelve of the Pearls should be taken the first day * * * when the discharge has become watery in appearance * * * the dose is to be gradually lessened."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted of oils of santal and cassia.

Misbranding of the article was alleged in substance in the libel for the reason that the statements aforesaid, borne on the wrappers and in the circulars accompanying said boxes containing the article, were false and fraudulent in that they misled the purchaser into the belief that the article could be successfully used in the treatment and cure of gonorrhoea, whereas, in truth and in fact, said article did not and would not produce the curative and therapeutic effects claimed. Misbranding was alleged in substance for the further reason that the statements borne on the wrappers and in the circulars accompanying the article misled and deceived the purchaser into the belief that the product was manufactured and packed in a foreign country, whereas, in truth and in fact, the article was manufactured and packed in the United States.

On December 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8753. Misbranding of olive oil. U. S. * * * v. Gabriel Carbateas and Nicholas S. Monahos (N. S. Monahos). Pleas of guilty. Fine, \$25. (F. & D No. 11987. I. S. No. 16196-r.)

On November 12, 1920, 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 of the United States for said district an information against Gabriel Carbateas and N. S. Monahos, trading as N. S. Monahos, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about April 9, 1919, from the State of New York into the State of Florida, of a quantity of olive oil which was misbranded. The article was labeled in part, "Extra Fine Olive Oil. Lucca, Lemnos Brand. N. S. Monahos, New York."