

On August 11, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 20 boxes of vaginal antiseptic capsules, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Grape Capsule Co. (Inc.), from Allentown, Pa., on or about May 1, 1930, and had been transported from the State of Pennsylvania into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the capsules contained eucalyptol and guaiacol dissolved in castor oil. Bacteriological examination showed that the article was not antiseptic.

It was alleged in the libel that the article was adulterated in that it was sold under the following standard of strength, "Antiseptic, * * * A Destroyer of Germs," whereas the said article fell below such professed standard, since it was not antiseptic and was not a destroyer of germs.

Misbranding was alleged for the reason that the statements on the label, "Antiseptic * * * a destroyer of germs," were false and misleading when applied to an article which was not antiseptic and was not a destroyer of germs. Misbranding was alleged for the further reason that the following statements appearing on the label, regarding the curative or therapeutic effects of the said article, "For Diseases and Inflammation of the Vaginal Canal," were false and fraudulent, in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 4, 1930, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17648. Adulteration and misbranding of Vogue antiseptic powder. U. S. v. 24 Boxes of Vogue Antiseptic Powder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24868. I. S. No. 033876. S. No. 3203.)

An examination of samples of a drug product known as Vogue antiseptic powder from the herein described interstate shipment, having shown that the article was not antiseptic in the dilutions recommended, and that it did not conform to the National Formulary, and that the labels bore claims of curative properties that the article did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Ohio.

On July 3, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 24 boxes of Vogue antiseptic powder at Columbus, Ohio, consigned by the Muir Co., Grand Rapids, Mich., alleging that the article had been shipped from Grand Rapids, Mich., on or about May 19, 1930, and had been transported from the State of Michigan into the State of Ohio, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of potassium alum, sodium borate, zinc sulphate, salicylic acid, and small amounts of phenol, thymol, and eucalyptol. Bacteriological examination showed that the article was not antiseptic in the dilutions recommended.

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the National Formulary, to wit, antiseptic powder, and differed from the official standard of strength, quality, or purity set up therein. Adulteration was alleged for the further reason that the article was sold under the following standard of strength, "Antiseptic * * * Germicide * * * two to three teaspoonfuls in a pint of water * * * one teaspoonful to a pint of water," whereas the strength of the said article fell below such professed standard in that it was not antiseptic or germicidal in the dilutions recommended.

Misbranding was alleged for the reason that the following statements borne on the label, "Antiseptic * * * Germicide * * * It is powerful and trustworthy * * * two or three teaspoonfuls in a pint of water * * * one teaspoon to a pint of water," were false and misleading when applied to an article which was not germicidal or antiseptic in the dilutions thus recommended for use. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the

article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "Valuable aid in the treatment of sores, cuts, wounds, abscesses and catarrhal condition of the vaginal mucous membrane. It is a healing * * * Germicide * * * It is recommended for douching in the treatment of nasal catarrh, * * * and hay fever. As a gargle in tonsillitis, diphtheria and other forms of sore throat. It is especially efficient for injection in the treatment of genito-urinary affections in men and for leucorrhoea and uterine affections in women. Used also effectively as a lotion for skin affections, * * * For * * * excessive leucorrhoeal discharge, itching, * * * and inflammation, * * * In severe cases, use freely several times a day. For ulcers, cuts, sores and wounds, bathe freely with solution, * * * For Piles, either itching or protruding * * * For Sore Throat."

On September 26, 1930, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17649. Adulteration and misbranding of cramp bark. U. S. v. 4 Bales of Cramp Bark. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24926. I. S. No. 2256. S. No. 3270.)

Samples of a product invoiced as true cramp bark having been found to be a bark other than cramp bark, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of New York.

On July 28, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 4 bales of alleged true cramp bark, remaining in the original packages at Brooklyn, N. Y., alleging that the article had been shipped by E. A. Dobbin & Co., from Lenoir, N. C., on or about June 17, 1930, and had been transported from the State of North Carolina into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the National Formulary and differed from the standard of strength, quality, or purity, as determined by the test laid down in said formulary official at the time of investigation.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the name of another article.

On September 10, 1930, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17650. Misbranding of Germozone. U. S. v. 2 Dozen Bottles, et al., of Germozone. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 24789, 24790. I. S. Nos. 023762, 023780. S. Nos. 3156, 3157.)

Examination of samples of a drug product known as Germozone from one of the herein described interstate shipments having shown that the labels and accompanying circular-bore claims of curative properties that the article did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Colorado.

On June 10, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 3 dozen 4-ounce bottles, 3 dozen 12-ounce bottles, 4 dozen 32-ounce bottles, 1 dozen half-gallon jugs, and 10 gallon jugs of Germozone, remaining in the original unbroken packages in part at Denver, Colo., and in part at Brush, Colo., consigned by the Geo. H. Lee Co., Omaha, Nebr., alleging that the article had been shipped from Omaha, Nebr., in two consignments, on or about May 10, 1930, and May 14, 1930, respectively, and transported from the State of Nebraska into the State of Colorado, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of potassium permanganate, aluminum sulphate, and sodium chloride.

It was alleged in the libels that the article was misbranded in that the following statements, borne on the labels and appearing in the accompanying circular, were false and fraudulent, since the said article contained no in-