

Tenn., alleging that the article had been shipped by the Cato Chemical Co., from St. Louis, Mo., on or about January 13, 1930, and had been transported from the State of Missouri into the State of Tennessee, 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 calcium carbonate, potassium chlorate, talc, a small proportion of a magnesium compound, such as magnesium carbonate, incorporated in a vehicle so as to form a paste, flavored with volatile oils including peppermint oil.

It was alleged in the libel that the article was adulterated in that it was sold under the following standard of strength, "Germicide, Antiseptic," and the strength of the article fell below such professed standard, since it was not an antiseptic.

Misbranding was alleged for the reason that the statements on the tube and carton, "Antiseptic, \* \* \* All diseases the Human System is heir to are caused by germs or microbes. Cato Anti-Pyorrhea Tooth Paste is a Germicide, Antiseptic," were false and misleading when applied to an article which was not antiseptic. Misbranding was alleged for the further reason that the following statements appearing on the carton and tube, 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: (Carton) "Anti-Pyorrhea \* \* \* For Sore and Bleeding Gums or any Pathological condition of the Mouth. To prevent a healthy mouth from becoming infected;" (tube) "Anti-Pyorrhea \* \* \* especially designed for (Pyorrhea) Gums. To harden sore, soft, spongy and bleeding gums and protect a healthy mouth from becoming infected."

On May 12, 1931, 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.*

**18354. Misbranding and alleged adulteration of Le Sieur's syrup of tar and cod-liver extract. U. S. v. 10 Dozen Bottles of Le Sieur's Syrup of Tar and Cod Liver Extract. Default decree of condemnation and destruction. (F. & D. No 25253. I. S. No. 3127. S. No. 3440.)**

Examination of a sample of the drug product herein described having shown that it was worthless as a source of the vitamins of cod-liver oil, and that the bottle and carton labels bore statements representing that the article possessed curative and therapeutic properties which it did not, the Secretary of Agriculture reported the matter to the United States attorney for the District of New Hampshire.

On November 5, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 10 dozen bottles of Le Sieur's syrup of tar and cod-liver extract, remaining in the original unbroken packages at Berlin, N. H., alleging that the article had been shipped by the Nemock Specialty Co., from Somerville, Mass., on or about December 30, 1929, and had been transported from the State of Massachusetts into the State of New Hampshire, 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 chloroform, tar, menthol, a trace of an oily substance with a fishy odor, sugar, alcohol, and water. Biological examination showed that the article was worthless as a source of cod-liver-oil vitamins.

It was alleged in the libel that the article was adulterated in that its strength fell below the following standard under which it was sold: (Carton) "Cod Liver Extract \* \* \* Each Fluid Ounce contains \* \* \* Tasteless Extract of Cod Liver \* \* \* [in English and French] this syrup contains the active principles of \* \* \* cod liver extract;" (bottle, in English and French) "Cod Liver Extract."

Misbranding was alleged for the reason that the statements appearing on the bottle and carton labels, as above quoted, were false and misleading, since the article was worthless as a source of the vitamins of cod-liver oil. Misbranding was alleged for the further reason that the following statements in English and French, regarding the curative and therapeutic effects of the said articles, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle) "Coughs \* \* \*

Bronchitis, Catarrh, Whooping Cough, Croup, Asthma, Etc. \* \* \* For Catarrh \* \* \* Little doses taken morning and evening will protect children apt to contract coughs;" (carton) "Coughs \* \* \* Bronchitis, Catarrh, Whooping Cough, Croup and Asthma."

On April 2, 1931, no claimant having appeared for the property, judgment was entered finding the product misbranded and ordering that it be condemned and destroyed.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18355. Adulteration and misbranding of ether. U. S. v. 90 Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25992. I. S. No. 28452. S. No. 4229.)**

Samples of ether from the shipment herein described having been found to contain peroxide, a decomposition product, the Secretary of Agriculture reported the matter to the United States attorney for the District of Massachusetts.

On March 7, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 90 cans of ether, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by Merck & Co. (Inc.), from Rahway, N. J., on or about January 20, 1931, and had been transported from the State of New Jersey into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Ether for Anaesthesia, U. S. P."

It was alleged in the libel that the article was 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.

Misbranding was alleged for the reason that the statement on the can label, "Ether for Anaesthesia, U. S. P.," was false and misleading when applied to ether falling below the pharmacopoeial requirements.

On April 22, 1931, 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.*

**18356. Misbranding of Septigyn tablets. U. S. v. 45 Packages of Septigyn Tablets. Default decree of condemnation and destruction. F. & D. No. 25991. I. S. No. 14245. S. No. 4225.)**

Examination of a drug product, known as Septigyn tablets, from the shipment herein described having shown that the carton label and the accompanying booklet bore statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Kansas.

On or about March 12, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 45 packages of Septigyn tablets at Wichita, Kans., alleging that the article had been shipped by the N & S Co., from Dallas, Tex., on or about November 29, 1930, and had been transported from the State of Texas into the State of Kansas, 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 zinc phenolsulphonate (48.8 per cent), sodium phenolsulphonate (21.4 per cent), copper phenolsulphonate (3.3 per cent), sodium sulphate (18.7 per cent), talc (5.3 per cent), and milk sugar.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, appearing on the carton and in the accompanying booklet, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "A safe cleanser for Diseases Peculiar to Women;" (booklet) "A safe, Sure and Speedy Remedy for Diseases Peculiar to Women \* \* \* a safe and certain preventative of disease. \* \* \* Not a Single Failure. \* \* \* Septigyn is the quickest and best known remedy for gonorrhoea in both male and female. We guarantee it to prevent the contraction of gonorrhoea if used a few minutes before sexual intercourse. \* \* \* Directions \* \* \* For all diseases of the generative tract such as leucorrhoea, falling of the womb, adhesions, cervical lacerations, ovarian affections, menstrual derangements. \* \* \* For the relief and cure of gonorrhoea in the female. \* \* \* For the prevention of specific and in-