

in which two tablespoonfuls of Sal-Vet has been dissolved. * * * Milch Cows—To keep them in healthy condition, and to enable them to produce the best possible yield from what you feed, * * * If out of condition, or if they abort, give them access to it full strength; or give a tablespoonful in soft feed night and morning. * * * Calves Out of Condition.” Misbranding was alleged for the further reason that the statement on the carton, “Contains * * * Tobacco.” was false and misleading.

On October 4, 1932, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20171. Misbranding of Brander's No. 7. U.S. v. 25 Cases, et al., of Brander's No. 7. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 28809, 28810. Sample No. 14342-A.)

Examination of the drug product involved in these cases disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the circular accompanying the article. The labeling also represented that the article was antiseptic, whereas bacteriological tests showed that it was not antiseptic when used as directed.

On or about August 29, 1932, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 23 cases and 21 packages of Brander's No. 7, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about July 11, 1932, by the Haley M-O Co., Inc., from Geneva, N.Y., to Baltimore, Md., 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 small proportions of soap, phenols, glycerin, and water (99 percent). Bacteriological examination showed that the product was not antiseptic when diluted with an equal volume of water.

It was alleged in the libels that the article was misbranded in that the following statements appearing in the labeling were false and misleading, since the product was not antiseptic or bactericidal when used as directed in the portions of the labeling quoted: (Carton) “Bactericidal (Destroying Germs) * * * seven uses * * * 7. Reliable and safe in feminine hygiene. * * * non-alcoholic antiseptic * * * effective for feminine hygiene”; (bottle label) “Bactericidal (Destroying Germs) * * * Promotes feminine hygiene and has a beneficent effect on delicate membranes and tissues. * * * Feminine Hygiene Two or three tablespoons of Brander's No. 7 to a quart of water as a vaginal douche several times daily as necessary. It is always advisable to consult a qualified physician in regard to abnormal discharge”; (circular) “Mouth Wash and Deodorant—The mouth is a breeding place and an excellent harbor for germs. Some are breathed in, some are in the food, some are on eating utensils. These bacteria multiply rapidly in the decomposing food particles which cling to the teeth. By the regular use of Brander's No. 7 as a cleansing agent most of these organisms are destroyed and the proper mouth hygiene established. Brander's No. 7 * * * diluted with water to half strength, should be used three or four times daily as a cleansing mouth wash, * * * Thereby not only the bacteria are removed but also the food particles which are breeding places of the germs. * * * Brander's No. 7 For Feminine Hygiene * * * The following are the requirements for the hygienic douche—7. Dependable antiseptic and bactericidal potency. * * * Brander's No. 7 provides a * * * douche with antiseptic effect * * * In addition to its own antiseptic * * * Directions Two or three tablespoons to the quart of water as a vaginal douche.” Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the articles, appearing in the circular, were false and fraudulent: (Circular) “There are conditions of excessive or perverted secretion or discharge for which many find it necessary and advisable to employ the vaginal douche. * * * Leukorrhoea (‘The Whites’)—By the use of Brander's No. 7 prompt relief can be obtained when surgical or systematic treatment is not indicated. Brander's No. 7 is effective not only for the whitish discharge of Leukorrhoea but for the ropy, slimy discharge associated

with infection of the mouth of the womb or uterus. In Non Specific Vaginitis—Brander's No. 7 is of great value. In addition to its own antiseptic and cleansing action, it causes relaxation of the vaginal mucus membrane and the folds of the vagina are more easily cleaned. It aids in breaking down and destroying pus and the hidden pockets where the pus originates. * * * Two or three tablespoons to the quart of water as a vaginal douche several times daily if necessary, in those cases of excessive discharge."

On October 1, 1932, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20172. Adulteration and misbranding of tincture aconite. U.S. v. Five 4-Ounce Bottles of Tincture Aconite U.S.P.X Standard. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 28737. Sample No. 12280-A.)

This action involved a quantity of tincture aconite which was represented to be of pharmacopoeial standard and which was found to possess a potency of about 60 percent of the minimum requirement of the United States Pharmacopoeia for tincture of aconite.

On August 20, 1932, 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 the district aforesaid a libel praying seizure and condemnation of five 4-ounce bottles of aconite at New York, N.Y., alleging that the article had been shipped in interstate commerce on or about June 17, 1932, by Sharp & Dohme, Inc., from Philadelphia, Pa., to New York, N.Y., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Tincture Aconite U.S.P.X. Standard."

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 as determined by the test laid down in the said pharmacopoeia, and its own standard of strength was not stated on the container.

Misbranding was alleged for the reason that the statement on the label, "Tincture Aconite U.S.P.X. Standard," was false and misleading.

On September 28, 1932, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20173. Misbranding of Vitalizing tablets. U.S. v. 27 Packages of Vitalizing Tablets. Default decree of destruction entered. (F. & D. No. 27713. I.S. Nos. 37231, 37232. S. No. 5779.)

Examination of the drug product involved in this action disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On February 29, 1932, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid, a libel praying seizure and condemnation of 27 packages of Vitalizing tablets, remaining in the original packages at Birmingham, Ala., alleging that the article had been shipped in interstate commerce, in part on or about January 20, 1932 (1931), and in part on or about December 19, 1931, by the Parker Medicine Co., from Tampa, Fla., to Birmingham, Ala., 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 the tablets contained extracts of plant drugs including a laxative drug such as cascara sagrada, nux vomica, and damiana, and were coated with calcium and iron compounds.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article were false and fraudulent: (Tin carton) "Vitalizing Tablets for Weak Men and Women"; (circular) "Vitalizing Tablets The Greatest Kidney Remedy * * * It Regulates the Kidneys and Stops You From Getting up at Night."