

22019. Misbranding of Colonaïd. U. S. v. Norwood Pharmaceutical Co., Inc., and Clyde F. Lloyd. Pleas of guilty. Fine, \$50. (F. & D. no. 30169. Sample no. 3673-A.)

Examination of the drug preparation, Colonaïd, disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. The article was essentially a drug and was labeled to convey the misleading impression that it was a natural laxative food.

On October 31, 1933, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Norwood Pharmaceutical Co, Inc., a corporation, trading at Chicago, Ill., and Clyde F. Lloyd, of Chicago, Ill., alleging shipment by said defendants in violation of the Food and Drugs Act, on or about February 3, 1932, from the State of Illinois into the State of Indiana, of a quantity of Colonaïd that was misbranded.

Analysis of a sample of the article by this Department showed that it consisted essentially of milk sugar, casein, dextrin, and smaller proportions of starch, phenolphthalein, calcium phosphate, a potassium compound, and carbonates.

It was alleged in the information that the article was misbranded in that the statement, "Colonaïd, being a natural laxative food", borne on the can label, and the statements, "Colonaïd is a food that is absolutely harmless as it contains nothing but ingredients eaten every day by the American family * * * Colonaïd, being absolutely pure food, is not habit forming and can be taken in most any quantity by adults without being harmful", appearing in the circular shipped with the article, were false and misleading, since the article was not a natural laxative food, it was not absolutely harmless, and it did contain ingredients that are not eaten every day by the American family; it was not an absolutely pure food; and it could not be taken in any quantity by adults without being harmful, in that it contained phenolphthalein.

Misbranding was alleged for the further reason that certain statements, designs, and devices appearing on the can label and in the circular, regarding the curative and therapeutic effects of the article, falsely and fraudulently represented that the article was effective as an aid in the treatment of diseases of the colon; effective as a treatment, remedy, and cure for stomach and bowel troubles, such as bilious headaches, painful gas distention of the bowels, malnutrition, auto-intoxication, and foul breath; effective in the treatment of all colon trouble and all forms of stomach and bowel ailments; effective as a remedy for intestinal ailments; effective to correct constipation and restore paralyzed muscles in the colon; effective to keep the waste food matter in the colon in perfect condition; effective as an upbuilder of blood, tissue, muscles, bones, and the nervous system; and effective as a tonic and as a preventive of gases and constipation.

On February 1, 1934, pleas of not guilty theretofore entered were withdrawn, and pleas of guilty were entered on behalf of the defendants, and the court imposed a fine of \$50 on the defendants, jointly.

M. L. WILSON, *Acting Secretary of Agriculture.*

22020. Misbranding of Colonaïd. U. S. v. Norwood Pharmaceutical Co., Inc. Plea of guilty. Fine, \$50. (F. & D. no. 26701. I.S. no. 26583.)

On May 6, 1932, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Norwood Pharmaceutical Co., Inc., trading at Chicago, Ill., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about December 23, 1930, from the State of Illinois into the State of Wisconsin, of a quantity of Colonaïd that was misbranded.

Analysis of a sample of the article by this Department showed that it consisted essentially of milk sugar, casein, dextrin, and smaller proportions of starch, phenolphthalein, calcium phosphate, a potassium compound, and carbonates.

It was alleged in the information that the article was misbranded in that the statements, "The ingredients of Colonaïd feed nourish and enormously increase friendly protective acid forming acidophilus bacteria that are normal