22596. Misbranding of Dairmol. U. S. v. Harry C. Campbell (Dairy Laboratories). Plea of nolo contendere. Judgment of guilty. Fine, $50. (F. & D. no. 31473. Sample no. 41657–A.)

Examination of the drug preparation Dairmol showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On January 17, 1934, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Harry C. Campbell, a member of a copartnership trading as the Dairy Laboratories, Philadelphia, Pa., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about August 15, 1931, from the State of Pennsylvania into the State of Illinois, of a quantity of Dairmol which was misbranded.

Analysis of a sample of the article by this Department showed that it contained 47.0 percent of water, 11.7 percent of alcohol, 4.4 percent of potassium oxide K_2O, 21.0 percent fatty anhydride probably from cocoanut oil, 2.6 percent coal-tar phenols, and 13.3 percent of essential oils and naphthalene.

It was alleged in the information that the article was misbranded in that the following statements regarding its curative and therapeutic effects, borne on the can label, were false and fraudulent: "Dairmol, especially adapted for the treatment of * * * diseases of the skin and Mucous Membrane * * * powerful penetrating * * * powers * * * Cow Pox—Wash area with 10 percent Dairmol and apply Dairmol full strength to pustule at frequent intervals * * * Recommended for * * * Granular Vaginitis and Putrid Discharges * * * Injuries and Diseases of Mucous Membranes * * * Skin diseases, including many forms of eczema * * * Inflammation of Udder and Caked Udder."

The information also charged a violation of the Insecticide Act of 1910, reported in notice of judgment no. 1327, published under that act. On March 9, 1934, the defendant pleaded nolo contendere for the Dairy Laboratories. Judgment of guilty was entered and a fine of $50 was imposed for violation of both acts.

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

22597. Misbranding of Vagitone. U. S. v. Philip D. Vincent (Vincent Laboratories). Plea of guilty. Fine, $5 and costs. (F. & D. no. 31494. Sample no. 29603–A.)

Examination of the drug product Vagitone disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. Bacteriological examination showed that the article was not antiseptic.

On May 17, 1934, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Philip D. Vincent, trading as the Vincent Laboratories, Texarkana, Tex., alleging shipment by said defendant, in violation of the Food and Drugs Act as amended, on or about February 11, 1933, from the State of Texas into the State of Arizona, of a quantity of Vagitone which was misbranded.

Analysis of a sample of the article by this Department showed that it consisted of glycerin, boric acid, phenols, small proportions of zinc oxide, quinine sulphate, thymol and oxyquinoline sulphate, and water, colored with a green dye. Bacteriological examination showed that the article failed to kill *Staphylococcus aureus* in 15 minutes at 37° C., when tested undiluted and was neither antiseptic, nor powerfully antiseptic.

It was alleged in the information that the article was misbranded in that certain statements, designs, and devices regarding the therapeutic and curative effects of the article, appearing on the bottle and carton labels and in leaflets and a circular shipped with the article, falsely and fraudulently represented that it was effective as a very efficient remedy recommended as an aid to the physician in the treatment of leucorrhoea, vaginal catarrh, inflammation of the genital organs and the various diseases of the vagina and uterus, and various inflammatory diseases of the vaginal tract; effective as a treatment for abnormal discharges of various nature in women after they have reached maturity; effective to insure the therapeutic action desired in female illness; effective as of medicinal value in the treatment of ailments peculiar to women; effective to heal permanently lacerations resulting from childbirth; and effective to arrest profuse menstruation. Misbranding was alleged for the further

reason that the statement, "Powerfully Antiseptic", borne on the carton and bottle labels, and the statements, "Powerfully Antiseptic Directions For Using. Insert the glass barrel of the syringe in the bottle and then withdraw the plunger, thus sucking the fluid into the barrel", "Powerfully Antiseptic * * * Directions For Using. Fill the syringe by inserting the glass barrel in the bottle and pulling the plunger up until the required amount of the fluid has been drawn in", borne on the leaflets, were false and misleading, since the article was not powerfully antiseptic when used as directed.

On May 21, 1934, the defendant entered a plea of guilty to the information, and the court imposed a fine of $5 and costs.

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

22598. Adulteration of ether. U. S. v. 123 Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 28498. Sample no. 2306–A.)

Analyses of samples of ether from the shipment involved in this case showed that peroxide, a decomposition product, was present in 8 of the 20 cans examined.

On August 2, 1932, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 123 quarter-pound cans of ether at Amarillo, Tex., alleging that the article had been shipped in interstate commerce, on or about September 10, 1931, by Mallinckrodt Chemical Works, from St. Louis, Mo., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Ether for Anesthesia."

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 was not stated on the label.

On May 29, 1934, 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.

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

22599. Adulteration and misbranding of white camphor liniment; and misbranding of Standard's Compound Milk of Magnesia, Standard's Compound Epsom Salt Tablets, syrup of wild cherry, flaxseed and menthol, compound white pine and tar cough syrup, compound boric acid powder, and oil of wintergreen. U. S. v. 11 Bottles of Standard's Compound Milk of Magnesia, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. nos. 31620 to 31626, incl. Sample nos. 43965–A, 43968–A, 51755–A, 51756–A, 51757–A, 51761–A, 51768–A.)

This case involved interstate shipments of various drug preparations. With the exception of the Epsom salt tablets the labels of the articles contained unwarranted curative and therapeutic claims. The Epsom salt tablets contained an extract of a laxative plant drug which would produce their principal therapeutic action, rather than the relatively small amount of Epsom salt present; the syrup of wild cherry, flaxseed and menthol, the compound white pine and tar cough syrup, and the camphor liniment contained physiologically active constituents other than those indicated by the designations; the camphor liniment was sold under a name recognized in the United States Pharmacopoeia, and differing from the standard established by that authority; the syrup of wild cherry, flaxseed and menthol contained undeclared alcohol; and the compound boric acid powder was represented to be a compound and to be an antiseptic wash, whereas it contained no ingredient except boric acid, and was not antiseptic.

On November 25, 1933, the United States attorney for the Northern District or New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure of various pharmaceuticals at Syracuse, N. Y., alleging that the articles had been shipped in interstate commerce on or about September 15, and 30, 1933, by the Connecticut Chemical & Disinfectant Co., from New Haven, Conn., and charging adulteration and misbranding of the camphor liniment and misbranding of the remaining products in violation of the Food and Drugs Act as amended. The articles were labeled in part: "Standard's Compound Milk of Magnesia * * * Standard Pharmacal Co., New York City"; Standard's Compound Epsom Salt Tablets"; "Syrup of Wild Cherry, Flaxseed and Menthol"; "White Camphor Lini-