

interstate commerce, in part on or about April 10, 1934, and in part on or about May 17, 1934, by John B. Smith Insecticide Co., from New Haven, Conn., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of potassium permanganate (1.9 percent), a small proportion of a sulphate, and 98 percent of water.

The libel alleged that the article was misbranded in that the statement, "Contains water inert, not to exceed 94 per cent", borne on the label, was false and misleading. Misbranding was further alleged in that the following statements in the labeling, regarding the curative and therapeutic effects of the article, were false and fraudulent: "A Remedy For Colds, Roup, Diarrhoea, Throat and Bowel Diseases. For Pet animals and Birds Smith's Germicide Should be given in the drinking water twice a week, a teaspoonful to a quart of water. This will keep the throats of singing birds in order. Give daily in drinking water to sick dogs, cats and other pet stock. * * * For Stock Smith's Germicide Given daily in the drinking water is beneficial having a tendency toward counteracting troubles caused by impure water, musty food, etc. A useful outward application for wounds and skin disorders. * * * give Germicide in the drinking water, one teaspoonful to a quart of water. For Bowel Trouble give in drinking water as above. * * * Given in the drinking water twice a week Smith's Germicide will help to keep poultry in good condition."

On July 17, 1934, no claimant having appeared, judgment of condemnation and forfeiture was entered, and destruction of the product was ordered.

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

22996. Misbranding of Lyco Cow Balm. U. S. v. 16 Tubes of Lyco Cow Balm. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32869. Sample no. 70159-A.)

This case involved a drug product which was labeled with unwarranted curative and therapeutic claims.

On June 18, 1934, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 16 tubes of Lyco Cow Balm at Honesdale, Pa., alleging that the article had been shipped in interstate commerce, on or about November 10, 1931, by Cole Bros. Cowbalm Co., from Binghamton, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of 3.3 percent of phenolic substances, such as cresols combined with an alkali, and volatile oils, such as eucalyptus oil and spearmint oil, incorporated in petrolatum.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects were false and fraudulent: (Tube) "Guaranteed Relief for Spider, Garget, Cowpox, * * * Spider or Garget * * * For Garget rub Balm well in affected quarter either warm or cold. For Spider rub Balm, warm or cold, on teat 5 or 10 minutes or hold teat in warm Balm. For * * * caked udder, rub Balm in well. Cowpox—Rub balm on all poked teats. Sore * * * Feet, Sore Eyes, * * * Piles, Running Sores, Lung Trouble, Coughs, Colds in * * * lungs, Croup, Sore Throat * * * Bunions, Catarrh, Heals Skin Breaks."

On July 31, 1934, no claimant having appeared, judgment of condemnation and forfeiture was entered, and destruction of the product was ordered.

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

22997. Misbranding of Gray's Syrup and Williams Camphorated Mustard Cream. U. S. v. 288 Packages of Gray's Syrup, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32870. Sample no. 71700-A.)

This case involved a shipment of Gray's Syrup, each package containing a sample of Camphorated Mustard Cream. The labels of both products bore unwarranted curative and therapeutic claims. The Gray's Syrup contained less alcohol than declared on the label.

On June 19, 1934, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 288 packages of Gray's Syrup, each package containing a sample of Camphorated Mustard Cream, at Auburn, Maine, alleging that the articles had been shipped in interstate commerce, on or about December 16, 1933, by D. Watson & Co., from New

York, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended. The articles were labeled in part: "Gray's Syrup * * * Prepared from the Original Recipe of Henry R. Gray, Chemist by D. Watson & Co., New York & Montreal," and "Williams Camphorated Mustard Cream * * * The Mothersill Remedy Co., Ltd. Montreal—New York."

Analyses showed that the Gray's Syrup consisted essentially of plant drugs, including wild cherry, small proportions of sodium, potassium, iron, calcium and magnesium salts, alcohol (16.3 percent by volume), and water; and that the Camphorated Mustard Cream was a yellowish ointment containing chiefly mustard oil, methyl salicylate, menthol, and camphor.

The Gray's Syrup was alleged to be misbranded in that the statements, (carton) "Alcohol 25 Per Cent" and (bottle) "Alcohol 25% Vol.", were false and misleading, since the article contained less alcohol than declared. Misbranding was alleged for the further reason that the following statements in the labeling, regarding the curative and therapeutic effects of the articles, were false and fraudulent: (Gray's Syrup, carton—one dozen small) "For Coughs, * * * Hoarseness, Sore Throat and Allied Complaints"; (display carton "Quick Sure Relief for Coughs"; (individual carton, in English and in French) "Recommended for Coughs, * * * Hoarseness and Sore Throat. It is beneficial in relieving Coughs and inflammatory conditions of the throat which result from Bronchial Asthmatic affections and derangements of the respiratory organs. * * * Has been a household preparation for Coughs, * * * Hoarseness, Sore Throats and allied complaints"; (individual carton, in English) "Has been a household preparation for Coughs, * * * Hoarseness, Sore Throats and allied complaints"; (bottle label, in English and in French) "A beneficial remedy for Coughs, Hoarseness and inflammatory conditions of the throat, which result from Bronchial, Asthmatic and Pulmonary affections. Dose—A teaspoonful to be taken after each spell of coughing"; (circular, in English and French) "For the treatment of Coughs, * * * Hoarseness and allied complaints * * * recommended for Coughs, * * * Hoarseness and Sore Throats. It is beneficial in relieving Coughs and inflammatory conditions of the Throat, which result from Bronchial and Asthmatic affections and derangements of the Respiratory Organs. * * * a household treatment * * * for these affections. * * * in the treatment of the above affections, * * * in the treatment of various pulmonary complaints. * * * Coughs * * * lead to more serious complaints. Be prepared"; (Camphorated Mustard Cream, tin label) "The pain in Rheumatism, Neuritis"; (circular) "To Relieve * * * Pains And Aches * * * penetrates right to the seat of your distress, easing pain and breaking up congestion. * * * Congestion is the underlying cause of distress in many cases of colds, pains and aches. Start the blood circulating and break up this congestion and you secure relief. * * * occupies an important place in the home treatment of many common ailments. Its prompt use will alleviate much distress and in many instances it may prove of value in preventing serious developments. Use it quickly in treating * * * the pains and aches of Rheumatism, * * * Neuritis. * * * 'Rubbing Away' the Congestion. Brings Ease and Comfort Pain Soothing Medication * * * 'Rub Away' That Croupy Cold."

On July 12, 1934, no claimant having appeared, judgment of condemnation and forfeiture was entered, and destruction of the products was ordered.

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

22998. Misbranding of Sal-Vet Worm Destroyer Conditioner Tonic. U. S. v. 3 Barrels of Sal Vet Worm Destroyer Conditioner Tonic. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32971. Sample no. 49284-A.)

This case involved a product that failed to conform to the printed formula since it contained more salt and less limestone than declared.

On June 21, 1934, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of three barrels of Sal Vet Worm Destroyer Conditioner Tonic at Farmville, N. C., alleging that the article had been shipped in interstate commerce, on or about March 20, 1934, by the Sal Vet Product Co., from Cleveland, Ohio, and charging misbranding in violation of the Food and Drugs Act.

Analysis showed that the article consisted of salt (73 percent), limestone (10.4 percent), insoluble earthy material (6.4 percent), sulphur (1.1 percent), iron sulphate (0.8 percent), charcoal, and plant material (7 percent).