

Nabona (alias Paul Anacker) on one count of the information, and ordered that judgment be arrested on the remaining five counts. On December 5, 1934, Yosemite Nabona was placed on probation for 2 years on condition that he pay the fine within that period.

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

24050. Adulteration and misbranding of nitroglycerin tablets and morphine sulphate tablets. U. S. v. Glens Falls Pharmacal Co., Inc. Plea of guilty. Fine, \$40. (F. & D. no. 32198. Sample nos. 34614-A, 34617-A.)

This case was based on an interstate shipment of nitroglycerin tablets and morphine sulphate tablets that contained smaller amounts of the said drugs than declared on the labels.

On October 30, 1934, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Glens Falls Pharmacal Co., Inc., Glens Falls, N. Y., alleging shipment by said company on or about May 8, 1933, from the State of New York into the State of Vermont of quantities of nitroglycerin tablets and morphine sulphate tablets which were adulterated and misbranded. The articles were labeled in part: "Tablets H Nitro-Glycerine $\frac{1}{100}$ gr. Manufactured by Glens Falls Pharmaceutical Co. Incorporated Glens Falls, N. Y."; "Morphine Sulphate $\frac{1}{8}$ Grain Poison Glens Falls Pharmacal Co., Inc., Glens Falls, N. Y."

The articles were alleged to be adulterated in that their strength and purity fell below the professed standard or quality under which they were sold in that each of the nitroglycerin tablets was alleged to contain one one-hundredth of a grain of nitroglycerin, whereas each of said tablets contained less than one one-hundredth of a grain, namely, not more than 0.0072 grain (not more than one one-hundredth and fortieth of a grain) of nitroglycerin; and each of the morphine sulphate tablets was represented to contain one-eighth of a grain of morphine sulphate, whereas each of said tablets contained less than one eighth of a grain, namely, not more than 0.11 grain (not more than one ninth of a grain) of morphine sulphate.

Misbranding was alleged for the reason that the statements, "Tablets Nitro-Glycerine 1/100 gr." and "Morphine Sulphate 1/8 Grain", borne on the labels, were false and misleading since the tablets contained less of the said drugs than so represented.

On November 9, 1934, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of \$40.

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

24051. Misbranding of Mother Gray's Sweet Powders for Children. U. S. v. 143 Boxes of Mother Gray's Sweet Powders for Children. Default decree of condemnation and destruction. (F. & D. no. 32268. Sample no. 66161-A.)

This case involved a drug preparation, the labels of which contained unwarranted curative and therapeutic claims.

On March 9, 1934, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 143 boxes of Mother Gray's Sweet Powders for Children at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about January 11, 1934, by Allen S. Olmsted Co., from LeRoy, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of sugar, starch, licorice, sulphur, sodium bicarbonate (one tenth of a grain per powder), and a small proportion of a calcium compound.

The article was alleged to be misbranded in that the following statements regarding its curative or therapeutic effects, appearing in the labeling, were false and fraudulent: (Carton) "Act on the Stomach, Liver * * * In intestinal and stomach disturbances the powders are most beneficial, as they tend to cleanse the digestive system"; (envelop) "These powders act on the Stomach * * * and Liver. They * * * tend to regulate the bowels. Appetite and digestion are improved so that children frequently gain in flesh"; (leaflet) "Act on the Stomach, Liver * * * If children are sick and ailing, these powders will afford relief * * * Many Mothers give them to their children as a corrective medicine. Use according to directions when your child is cross and complaining. In intestinal and stomach disturbances the

powders are most beneficial, as they tend to cleanse the digestive system.
* * * [Testimonial] 'My little three year old girl who was very puny
* * * very satisfactory in every case.'

On October 24, 1934, no claimant having appeared judgment of condemnation was entered and it was ordered that the product be destroyed.

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

24052. Misbranding of Acco Aspirin Tablets. U. S. v. 24 Cartons of Acco Aspirin Tablets. Default decree of condemnation and destruction. (F. & D. no. 32661. Sample no. 68539-A.)

This case involved an interstate shipment of aspirin tablets, the labels of which bore unwarranted curative and therapeutic claims.

On May 2, 1934, the United States attorney for the Middle District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 cartons, each carrying 20 packages of Acco Aspirin Tablets at Montgomery, Ala., alleging that the article had been shipped in interstate commerce on or about March 15, 1934, by Feldman & Martin, Inc. [New York, N. Y.], and charging misbranding in violation of the Food and Drugs Act as amended. The packages were labeled: "Acco Aspirin Tablets * * * Albany Chemical Company, Albany, New York."

The article was alleged to be misbranded in that the following statements contained in the circular shipped with the article, regarding its curative or therapeutic effects, were false and fraudulent: "It is highly recommended for the relief of * * * Painful Periods, Rheumatic Conditions * * * And similar ailments * * * Painful Periods Etc. Two Tablets One Hour after Meals repeated in an Hour if not completely relieved. Toothache Earache same dosage as for Headache. Rheumatism Lumbago One or Two Tablets three times daily One Hour after each Meal. Sciatica * * * Two Tablets three times daily One Hour after each Meal."

On August 6, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

24053. Misbranding of Rogers' Limber-Neck Knocker, Rogers' Roup Knocker, and Rogers' Cholera Knocker. U. S. v. 7 Bottles of Rogers' Limber-Neck Knocker, et al. Default decree of condemnation and destruction. (F. & D. nos. 32828, 32829, 32830. Sample nos. 65760-A, 65761-A, 65762-A.)

This case involved drug preparations which were misbranded because of unwarranted curative and therapeutic claims contained in the labeling. The labeling was further objectionable since all products were represented to contain 10 percent of alcohol, and the Cholera Knocker was represented to contain 1 percent of chloroform; whereas the Limber-Neck Knocker contained not more than 1 percent of alcohol, the other products contained no alcohol, and the Cholera Knocker contained no chloroform.

On June 11, 1934, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 7 bottles of Rogers' Limber-Neck Knocker, 6 bottles of Rogers' Roup Knocker, and 8 bottles of Rogers' Cholera Knocker at Burlington, Iowa, alleging that the articles had been shipped in interstate commerce on or about September 26, 1933, by the Rogers Poultry Remedy Co., from Palmyra, Mo., and charging misbranding in violation of the Food and Drugs Act as amended.

Analyses showed that the Limber-Neck Knocker consisted essentially of sodium nitrate, ammonia, a carbonate, alcohol (1 percent), a small proportion of plant extractive material, and water; that the Roup Knocker consisted essentially of ammonium nitrate, potassium chromate, a calcium compound, a small proportion of plant extractive material and water (it contained no alcohol); that the Cholera Knocker consisted essentially of sodium, ammonium, and calcium compounds including a nitrate and a carbonate, phenol, a small proportion of plant extractive matter, and water (it contained no alcohol nor chloroform).

The articles were alleged to be misbranded in that the statements, "This Medicine Contains 10% Alcohol" on the labels of the Limber-Neck Knocker and Roup Knocker, and the statement "Contains 10% Alcohol and 1% Chloroform", on the label of the Cholera Knocker, were false and misleading. Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the articles were false and fraudulent: (Limer-Neck Knocker) "Limer-Neck Knocker: A Remedy and