

Misbranding was alleged for the further reason that the statement "The necessary antiseptics is provided," appearing in the circular, was false and misleading since the article would not provide antiseptics.

On November 2, 1934, the G. F. Harvey Co. having appeared as claimant, judgment of condemnation was entered and it was ordered that the product might be released provided the claimant filed a bond within 10 days, conditioned that it be properly relabeled.

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

24071. Misbranding of Red Raven Splits. U. S. v. 306 Bottles of Red Raven Splits. Consent decree of condemnation and destruction. (F. & D. no. 33252. Sample no. 74433-A.)

This case involved a drug preparation which was misbranded because of unwarranted curative and therapeutic claims in the labeling.

On August 14, 1934, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 306 bottles of Red Raven Splits at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about January 18, 1934, by the Red Raven Corporation, from Red Raven, Pa., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of an artificially carbonated solution of sodium phosphate.

The article was alleged to be misbranded in that the following statements on the bottle label: "For chronic constipation, sluggish liver, headache and biliousness, laxative in early stages of influenza," were statements regarding the curative or therapeutic effects of the article and were false and fraudulent.

On January 2, 1935, the Red Raven Corporation, the sole intervenor, having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

24072. Adulteration and misbranding of Pyrol. U. S. v. 102 Dozen Tubes of Pyrol. Default decree of condemnation and destruction. (F. & D. no. 33276. Sample nos. 843-B, 845-B.)

This case involved interstate shipments of Pyrol, the labeling of which contained unwarranted curative, therapeutic, and antiseptic claims.

On August 20, 1934, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 102 dozen tubes of Pyrol at Seattle, Wash., alleging that the article had been shipped in interstate commerce in various shipments on or about July 29, 1933, March 13, April 11, and May 11, 1934, by the Kip Corporation, Ltd., from Los Angeles, Calif., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of petroleum and zinc oxide with small amounts of phenol, salicylic acid, and essential oils including methyl salicylate. Bacteriological examination showed that it was not antiseptic.

The article was alleged to be adulterated in that its strength fell below the professed standard of quality under which it was sold, namely, "Antiseptic."

Misbranding was alleged for the reason that the following statements in the labeling were false and misleading: (Carton and tubes) "Pyrol is Composed of * * * Antiseptic * * * Oils"; (circulars) "Pyrol is * * * Antiseptic * * * Pyrol Contains * * * Antiseptic Oils." Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article, appearing in the labeling, were false and fraudulent: (Some tubes) "Heals severest burns without scar * * * eruptions are relieved and respond to Pyrol"; (some cartons) "Heals severest burns without scar * * * eruptions are relieved and respond to Pyrol"; (other tubes and cartons) "Boils Piles Ulcers * * * heals severest burns without scar * * * eruptions are relieved and respond to Pyrol"; (all circulars) "It prevents infection. No need to be incapacitated by burns or scalds. Pyrol * * * hastens healing—and almost invariably prevents scars. Eczema * * * Even in severe cases several applications will make the skin clear and free from this disease. Sore Feet * * * Sores * * * Pimples, boils * * * respond immediately to Pyrol treatment. After steril-

izing the affected area apply Pyrol freely and in severe cases keep bandaged. Dandruff * * * repeated several times per week will soon cure the worst cases of dandruff."

On February 20, 1935, 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.*

24073. Misbranding of Sengarian Ointment. U. S. v. 107 Packages of Sengarian Ointment. Default decree of condemnation and destruction. (F. & D. no. 33288. Sample no. 10464-B.)

This case involved a drug preparation which was misbranded because of unwarranted curative, therapeutic, and antiseptic claims in the labeling. The labeling was also objectionable since it bore a statement that the product could be used on an infant with perfect safety, whereas it contained an ingredient which might be harmful when so used, and since it conveyed the impression that the labeling of the product had been approved by this Department, whereas it had not; and since it did not have the antiseptic properties claimed.

On or about August 28, 1934, the United States attorney for the District of Delaware, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 107 packages of Sengarian Ointment at Wilmington, Del., alleging that the article had been shipped in interstate commerce on or about June 9, 1934, by Aschenbach & Miller, Inc., from Philadelphia, Pa., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of a lead soap, rosin, and camphor. Bacteriological examination showed that it was not antiseptic.

The article was alleged to be misbranded in that the statement on the carton, "Sengarian Ointment is antiseptic", and the statement in the circular, "It may be used on the most tender infant with perfect safety", were false and misleading. Misbranding was alleged for the further reason that the following statements in the labeling were misleading: (Carton) "Formerly Hungarian"; (circular) "(Formerly Called Hungarian Ointment). In compliance with the requirements of the Federal Food and Drugs Act we have changed the title of Hungarian Preparations to Sengarian. The authorities have decided that the name 'Hungarian' may not be used, from the fact that the Preparations are not prepared in Hungary. All our preparations will be found to be the same as heretofore in every particular, the only change being in the title of the articles so long and well known as 'Hungarian.'" Misbranding was alleged for the further reason that the following statements on the carton and in the circular, were statements regarding the curative or therapeutic effects of the article and were false and fraudulent: (Carton) "Much relief is experienced by its use for * * * Bunions. * * * the treatment of inward pains, Lumbago, Catarrh, Gathered Breast, Sore Nipples, * * * Felons, Flesh Wounds, Deep-Seated Sores, Carbuncles, * * * Cuts, Boils, Scrofulous Sores, Eczema, Salt Rheum, Tetter, * * * Piles, * * * etc., * * * for * * * Eczema and all skin eruptions"; (circular) "For * * * Healing and Strengthening * * * Its peculiar adaptedness for the treatment of inward pains, as well as open sores, renders it a most valuable preparation. * * * In Rheumatism, Synovitis, * * * Sciatica, Lumbago, Contractions and Pain in Chest, Throat and Back; in Cholera Infantum, Cholera Morbus, Inflammation of Bowels and Stomach, etc., it acts as an agent for drawing out the inward soreness and inflammation, and imports new strength and vigor to the parts affected without producing any outward sores whatever. * * * It will adhere to the body without a bandage as soon as the Ointment is sufficiently absorbed to reach the seat of the disease. For all kinds of open sores, whether they are fresh wounds or old sores, it acts efficiently by drawing to the surface poisonous fluid or matter, and as soon as that is discharged, it heals the wounds and strengthens the tissues, leaving the flesh in a healthy condition. * * * For treatment of Rheumatism, Synovitis, * * * Catarrh, Lumbago, Sciatica, Erysipelas, Cholera, Inflammation of the Bowels, Stomach or any Inward Pains, which do not discharge it is not needed to change the plaster every day, * * * In many cases of inward pain the plaster may be left in place as long as it adheres to the skin. For small sores which do not discharge much, it is not necessary to change the plaster every day * * * For Felons, Gathered Breasts, Ulcers, Carbuncles, Abscesses and any Deep-Seated Sores the Salve must be changed twice a day. It will be found very efficient to keep a warm poultice over the plaster until the pain diminishes. * * * The surface of the