

Analyses showed that the article consisted essentially of chloroform, (samples taken from each of the three shipments contained 0.83 minim, 0.91 minim, and 0.946 minim, respectively, of chloroform), creosote, volatile oils including sassafras oil, menthol, and methyl salicylate, small proportions of magnesium sulphate and a benzoate, sugar, and water.

The article was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, since it contained less chloroform than declared.

Misbranding was alleged for the reason that certain statements appearing in the labeling, regarding its curative and therapeutic effects, falsely and fraudulently represented that it was effective as a relief, treatment, remedy, and cure for coughs, catarrh, bronchitis, and asthma. Misbranding was alleged for the further reason that the statements, "The Renowned Vegetable Discovery" and "Each fluid ounce contains: Chloroform U. S. P. 1¼ minim", with respect to all lots, and the statement "Each Ounce Fluid Contains Chloroform U. S. P. one Minim", with respect to one lot, were false and misleading, since the article was not composed of vegetable ingredients only, but was composed in part of mineral ingredients, and each fluid ounce of the article contained less than 1 minim of chloroform. Misbranding was alleged for the further reason that the article contained chloroform and the label on the package failed to bear a plain and conspicuous statement as to the quantity and proportion of chloroform contained therein.

On March 21, 1935, the defendant entered a plea of guilty, and the court imposed a fine of \$100.

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

**24540. Misbranding of Germ-X. U. S. v. American Lanolin Corporation. Plea of nolo contendere. Fine, \$4. (F. & D. no. 33869. Sample no. 68357-A.)**

This case involved an interstate shipment of a drug product which was misbranded because of unwarranted claims regarding its alleged curative, therapeutic, germicidal, disinfectant, and antiseptic properties.

On February 21, 1935, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the American Lanolin Corporation, Lawrence, Mass., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about February 13, 1934, from the State of Massachusetts into the State of New Hampshire, of a quantity of Germ-X which was misbranded.

Analysis of a sample showed that the article consisted essentially of sodium hypochlorite, sodium chloride, sodium carbonate, sodium hydroxide, and water. Bacteriological examination showed that the article was not a germicide, disinfectant, and antiseptic when used as directed.

The article was alleged to be misbranded in that certain statements regarding its curative and therapeutic effects, appearing in the labeling, falsely and fraudulently represented that it was effective as a relief for bunions; effective to prevent and overcome disease of stock; effective as a treatment, remedy, and cure for abortion, retention of afterbirth, barrenness, cowpox, garget, and scours in cattle; effective to disinfect sheaths of bulls; effective as a treatment, remedy, and cure for abortion and eye infection in sheep; effective as a treatment, remedy, and cure for bullnose, cholera, and worms in hogs and pigs; effective to destroy germs and to heal and soothe diseased membranes in poultry; effective as a treatment, remedy, and cure for blackhead, chicken pox, cholera, coccidiosis, roup, and white diarrhoea in poultry; effective to sterilize cuts, to prevent blood poisoning, and to soothe and heal old sores; effective as a treatment and relief for sore throats and tonsillitis, and most of the common skin ailments, such as pimples, eczema, and itch; effective as a treatment, remedy, and cure for influenza; effective as an ideal douche; and effective as a gargle and mouth wash. Misbranding was alleged for the further reason that the following statements appearing in the labeling, (circular) "Its \* \* \* germicidal powers, makes Germ-X an ideal douche—one teaspoonful to two quarts of warm water", (bottle) "Germ-X Germicide \* \* \* Disinfectant Antiseptic \* \* \* Gargle and Mouth Wash; use about five drops in a half glass of water. \* \* \* Feminine Hygiene. The germicidal \* \* \* powers of Germ-X \* \* \* One teaspoon of Germ-X to two quarts of warm water \* \* \* use ½ teacupful of Germ-X in a tub of water", were false and misleading, since the article was not a germicide, was not a disinfectant antiseptic, and was not an antiseptic when used as directed.

The information also charged a violation of the Insecticide Act of 1910, reported in notice of judgment no. 1386, published under that act.

On March 25, 1935, a plea of nolo contendere was entered on behalf of the defendant company and the court imposed fines on all charges, the fines on the counts charging violation of the Food and Drugs Act being \$4.

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

**24541. Misbranding of Industrial Pine Disinfectant. U. S. v. Ira M. Lippel (Industrial Laboratories). Plea of guilty. Fine, \$25 and costs. (F. & D. no. 33890. Sample no. 62260-A.)**

This case was based on an interstate shipment of a product which was misbranded because of unwarranted claims in the labeling regarding its alleged antiseptic properties.

On January 17, 1935, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Ira M. Lippel, trading as the Industrial Laboratories, Baltimore, Md., alleging shipment by said defendant in violation of the Food and Drugs Act, on or about May 4, 1934, from the State of Maryland into the State of West Virginia, of a quantity of Industrial Pine Disinfectant which was misbranded.

Analysis showed that the article consisted of soap, water, and pine oil. Bacteriological examination showed that the article was not an antiseptic when used as directed.

The article was alleged to be misbranded in that the statement, "Disinfectant \* \* \* as a douche \* \* \* use a 2% solution", borne on the label of the drum containing the article, was false and misleading, and for the further reason that it was labeled so as to deceive and mislead the purchaser, since the said statement represented that the article would act as an antiseptic when used in the dilution recommended; whereas it would not act as an antiseptic when used in the dilution recommended.

The information also charged a violation of the Insecticide Act of 1910, reported in notice of judgment no. 1391, published under that act.

On February 7, 1935, the defendant entered a plea of guilty and the court imposed a fine of \$25 and costs on each charge.

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

**24542. Misbranding of Pulmoseptone, Poultry Cholera Tablets, and B. I. S. Ointment. U. S. v. J. F. DeVine Laboratories, Inc. Plea of guilty. Fine, \$150. (F. & D. nos. 33849, 33891. Sample nos. 43745-A, 51833-A, 51834-A.)**

This case was based on shipments of Pulmoseptone and Poultry Cholera Tablets, the labeling of which contained unwarranted curative and therapeutic claims; and a shipment of B. I. S. Ointment, the labeling of which contained unwarranted germicidal claims.

On March 29, 1935, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against J. F. DeVine Laboratories, Inc., New York, N. Y., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about November 6 and November 14, 1933, from the State of New York into the State of New Jersey of quantities of Pulmoseptone, Poultry Cholera Tablets, and B. I. S. Ointment which were misbranded.

Analysis of the Pulmoseptone showed it to be a red liquid consisting of guaiacol, rosin, water, turpentine, and camphor. Apparently some of the rosin acids were neutralized with sodium carbonate. Analysis of the Poultry Cholera Tablets showed that they were composed of 46 percent of zinc sulphocarbolate, 22 percent of corrosive sublimate, 23 percent of sodium sulphate, 9 percent of citric acid and a filler of starch and insoluble matter. Analysis of the B. I. S. Ointment showed that it consisted of water, petrolatum, fatty material, geraniol, gum benzoin, ichthyol, and a small amount of free ammonia; bacteriological examination showed that it was not a germicidal ointment and did not possess germicidal properties.

The Pulmoseptone was alleged to be misbranded in that certain statements in the labeling, regarding its curative and therapeutic effects, falsely and fraudulently represented that it was effective as a highly germicidal preparation for infected mucous membranes; effective as a treatment for influenza, distemper, strangles, pharyngitis, laryngitis, pneumonia, diarrhoea, auto-intoxication, colic, flu, and chronic coughs; effective as an antispasmodic and antiferment for