

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

relief from colics; effective as a treatment of so-called flu and "breaks" in swine following simultaneous vaccination. Misbranding of the Poultry Cholera Tablets was alleged for the reason that certain statements on the label falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for cholera in poultry; and effective as a preventative and cure of poultry diseases. Misbranding of the B. I. S. Ointment was alleged for the reason that the statement "Germicidal and penetrating properties", borne on the jar label, was false and misleading, and by reason of the said statement the article was labeled so as to deceive and mislead the purchaser, since it represented that the article was germicidal and penetrating when used as an adjuvant in the treatment of demodectic mange; whereas it was not germicidal and penetrating when used as an adjuvant in the treatment of demodectic mange.

The information also charged that the B. I. S. Ointment was misbranded in violation of the Insecticide Act of 1910, reported in notice of judgment no. 1383, published under that act.

On April 15, 1935, a plea of guilty was entered on behalf of the defendant company and the court imposed fines on all charges. The fine assessed on the charges for violation of the Food and Drugs Act was \$150.

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

24543. Misbranding of Dr. Brehm's Hartz Mountain Antiseptic Bird Wash. U. S. v. The Hartz Mountain Products Co. Plea of guilty. Fine, \$25. (F. & D. no. 33916. Sample no. 65979-A.)

This case was based on an interstate shipment of a drug preparation which was misbranded because of unwarranted curative and therapeutic claims appearing in the labeling.

On April 5, 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 the Hartz Mountain Products Co., a corporation, New York, N. Y., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about October 6, 1933, from the State of New York into the State of New Jersey of a quantity of Dr. Brehm's Hartz Mountain Antiseptic Bird Wash which was misbranded.

Analysis showed that the article consisted of an aqueous solution of 8-oxyquinoline sulphate containing a trace of lavender oil.

The article was alleged to be misbranded in that certain statements regarding its therapeutic and curative effects appearing on the package label, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for skin irritations and feather pulling.

The information also charged a violation of the Insecticide Act of 1910 reported in notice of judgment no. 1400, published under that act.

On April 12, 1935, a plea of guilty was entered on behalf of the defendant company, and the court imposed fines on all charges, the fine on the count charging violation of the Food and Drugs Act being \$25.

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

24544. Misbranding of Key-Rite General Disinfectant. U. S. v. Interstate Chemical Manufacturing Co. Plea of guilty. Fine, \$50. (F. & D. no. 33919. Sample nos. 67295-A, 69862-A.)

This case was based on an interstate shipment of a drug preparation the labeling of which contained unwarranted curative and therapeutic claims.

On February 5, 1935, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Interstate Chemical Manufacturing Co., Jersey City, N. J., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about January 16, 1934, from the State of New Jersey into the State of New York, of a quantity of Key-Rite General Disinfectant which was misbranded.

Analysis showed that the article consisted of soap, water, coal-tar neutral oils, and phenols.

The article was alleged to be misbranded in that certain statements, designs, and devices regarding its therapeutic and curative effects, appearing on the can label, falsely and fraudulently represented that it was effective to aid in the prevention of certain poultry diseases, effective to eliminate many poultry diseases, effective as a preventive measure for tuberculosis and foot diseases in poultry, and effective as a treatment, remedy and cure for ordinary eczema, ordinary galls, sores, cuts, and wounds in horses and for cuts, ordinary ulcers