* * * are promptly eliminated by Pheno-Cosan. Directions In eczema and other skin condition, * * * For * * * wounds, sores, etc."; circular) "Infant cases Indicated in Acute or Chronic Eczema, Impetigo, * * * Pruritis arising from Diabetes, Measles, or from any other cause. Applications may be from 2 to 6 daily, * * * rubbing gently till absorbed. In scalp condition, * * *." Misbranding was alleged for the further reason that the statements on the cartons, "1 oz. size", "2 oz. size", and "4 oz. size", respectively, were false and misleading, since the jars contained materially less than 1 ounce, 2 ounces, and 4 ounces, respectively, of the article.

On June 6 and June 27, 1935, the Whitney Payne Corporation, claimant, having consented to the entry of decrees, judgments of condemnation were entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

24633. Adulteration and misbranding of Vitamized Stock Compound and Vitamized Poultry Compound. U. S. v. 47 Three-Pound Packages of Vitamized Stock Compound, et al. (F. & D. no. 32067. Sample nos. 42553–A, 42554–A.)

These cases involved products represented to be stock and poultry conditioners and remedies containing yeast and cod-liver oil. Examination showed that they contained no yeast or cod-liver oil, and that the labeling bore unwarranted curative and therapeutic claims.

On March 6, 1934, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 50 packages and 1 case of free samples of Vitamized Stock Compound, and 47 packages of Vitamized Poultry Compound at Nashville, Tenn., alleging that the articles had been shipped in interstate commerce on or about September 26, 1932, from Fostoria, Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The articles were labeled in part: "Vitamized Stock Compound [or "Vitamized Poultry Compound"] * * * Vitamized Products Company, Tiffin, Ohio."

Analyses showed that the stock compound consisted essentially of calcium carbonate and magnesium sulphate, with small amounts of an iron compound, sulphur, nux vomica, quassia, fenugreek, and potassium iodide; and that the poultry compound consisted essentially of calcium carbonate with magnesium sulphate, and small proportions of an iron compound, sulphur, capsicum, quassia, and potassium iodide. No yeast or cod-liver oil was found in either product.

The articles were alleged to be adulterated in that their strength fell below the professed standard or quality under which they were sold.

Misbranding was alleged for the reason that certain statements appearing on the packages of the articles were false and misleading, and for the further reason that certain statements, designs, or devices appearing upon and within the packages regarding the curative or therapeutic effects of the articles, were false and fraudulent.

On February 12, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the products be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

24634. Adulteration and misbranding of A-R-T (Allen's Rheumatic Treatment). U. S. v. Hart M. Allen (Hart M. Allen Laboratories). Plea of guilty. Fine, $600. (F. & D. no. 32114. Sample nos. 23092–A, 26157–A, 37410–A.)

This case was based on interstate shipments of a drug preparation that was adulterated because of the presence of acetanilid in excess of the amount declared, and was misbranded because of unwarranted curative and therapeutic claims in the labeling.

On March 26, 1935, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Hart M. Allen, trading as the Hart M. Allen Laboratories, Los Angeles, Calif., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about May 22, July 15, and August 25, 1932, and February 1, 1933, from the State of California into the State of Oregon of quantities of A-R-T which was adulterated and misbranded. The information further charged that on or about November 16, 1932, the defendant had sold and delivered to a purchaser at San Francisco, Calif., a quantity of A-R-T Allen's Rheumatic Treatment under a guaranty that it conformed with the Federal Food and Drugs Act; that the article in the

identical condition as when sold and delivered was shipped by the purchaser from the State of California into the State of Nevada; and that it was in fact adulterated and misbranded in violation of the Food and Drugs Act as amended. A portion of the article was labeled: "A-R-T Allen's Rheumatic Treatment (Tablet Form)." The remainder was labeled: "A-R-T Tablets."

The article consisted of blue and white tablets. Analyses showed that the blue tablets consisted essentially of acetylsalicylic acid; and that the white tablets contained sodium bicarbonate, caffeine, and acetanilid (the three samples containing 5.0 grains, 5.2 grains and 5.0 grains, respectively, of acetanilid per tablet).

The article was alleged to be adulterated in that it fell below the professed standard and quality under which it was sold in the following respects: The product in one shipment was represented to contain in each ounce 168 grains of phenylacetamide, namely acetanilid, whereas each ounce of the said tablets contained more than 168 grains of acetanilid, namely, not less than 246.5 grains of acetanilid. The product in the remaining shipments was represented to contain in each white tablet 3½ grains of acetanilid, whereas each of the white tablets contained more than 3½ grains of acetanilid, samples taken from each of the two lots having been found to contain 5.2 grains and 5 grains, respectively, of acetanilid.

Misbranding was alleged for the reason that certain statements, designs, and devices regarding the curative and therapeutic effects of the article, appearing on the label and in circulars and leaflets shipped with certain lots, falsely and fraudulently represented that it was effective as a treatment for rheumatism; effective as a quick relief for neuritis, lumbago, gout, and rheumatism of all kinds, such as sciatic, articular, muscular, and inflammatory; effective as a remedy for rheumatism in all its forms, including sciatic, muscular, inflammatory, and articular; effective as a cure for neuritis; effective to give quick relief from pains and aches, and to give complete relief, to break up and to give complete cures in the most severe and stubborn cases of rheumatism, neuritis, lumbago, and gout; effective as a quick and wonderful relief from the awful pains and aches suffered by those afflicted with rheumatism, neuritis, lumbago, and gout; effective as a pain reliever in all rheumatic and neuralgic diseases; effective as a treatment, remedy, and cure for toothache, earache, locomotor ataxia pains, migraine, fever (feverish conditions), ovarian pains, and pains and aches peculiar to women; effective as a relief for insomnia due to rheumatic and neuritis pains; and effective to induce sound sleep at night free from all aches and pains.

On April 22, 1935, the defendant entered a plea of guilty and the court imposed a fine of $600.

W. R. GREGG, *Acting Secretary of Agriculture.*

24635. Misbranding of Iodine Crumble. U. S. v. Everett A. Huffine. Plea of nolo contendere; judgment of guilty. Fine, $100 on first count; defendant placed on probation on remaining count. (F. & D. no. 32117. Sample nos. 2368–A, 50861–A.)

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

On October 1, 1934, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Everett A. Huffine, Los Angeles, Calif., alleging shipment by said defendant in violation of the Food and Drugs Act on or about September 30, 1931, and August 12, 1933, from the State of California into the State of Colorado of quantities of Iodine Crumble which was misbranded.

Analyses of samples showed that the article consisted essentially of small masses of calcium carbonate with small amounts of silica and iron compound. Free iodine was absent, but iodine in combined form was present. Phenolphthalein was found in one sample.

The article was alleged to be misbranded in that certain statements on the label falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for round worms (ascardia) and tapeworms in poultry.

On May 13, 1935, the defendant having entered a plea of nolo contendere on both counts, judgment of guilty was entered and the court imposed a fine of $100 on the first count and ordered that the defendant be placed on probation for two years on the remaining count.

W. R. GREGG, *Acting Secretary of Agriculture.*