

Colo., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of salicylic acid (14.26 percent) and volatile oils including menthol and methyl salicylate, incorporated in a fatty vehicle.

It was alleged in the libel that the article was misbranded in that the following statement on the label thereof regarding its curative or therapeutic effects was false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "Recommended for * * * Rheumatism, Lumbago * * * Arthritis, Neuritis * * * Aching Feet."

On August 6, 1935, no claimant having appeared, judgment was entered by the court ordering that the product be destroyed.

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

25108. Misbranding of Egge an Egg Maker, Fluspray, and Sanite. U. S. v. 56 Cases of Egge an Egg Maker, and Other Drug Articles. Default decree of condemnation, forfeiture, and destruction. (F. & D. nos. 35634, 35635, 35636. Sample nos. 32316-B, 32317-B, 32318-B.)

Unwarranted curative or therapeutic claims were borne on the cartons, in leaflets enclosed in them, and on the bottle labels of these drugs. On the carton of Egge an Egg Maker and in a leaflet shipped with it appeared a design of a chicken on a basket of eggs.

On June 13, 1935, 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 quantities of Egge an Egg Maker, Fluspray, and Sanite at Des Moines, Iowa, alleging that the articles had been shipped by the Concentrated Products, Inc., from Quincy, Ill., to Des Moines, Iowa, on or about June 3, 1934, and charging misbranding in violation of the Food and Drugs Act. The articles were labeled in part: (Carton) "Egge an Egg Maker"; (carton) "Fluspray"; (bottles) "Sanite."

Analyses showed that the Egge an Egg Maker consisted essentially of sulphur, calcium and magnesium carbonates and sulphates, and small proportions of other inorganic material; that the Fluspray consisted essentially of formaldehyde, glycerin, and methyl salicylate colored blue; and that the Sanite consisted essentially of furfural.

The Egge an Egg Maker was alleged to be misbranded in that the carton in which it had been shipped and a leaflet enclosed in the carton bore and contained statements and a design of a chicken on a basket of eggs that falsely and fraudulently represented that the article was effective to stimulate and increase egg production from poultry; that it possessed curative or therapeutic efficacy with respect to leg weakness and indigestion, cholera, gapes and roup in poultry; and that it was a general conditioner and regulator of the health of poultry, ducks, geese, turkeys, and pigeons.

The Fluspray was alleged to be misbranded in that the bottle labels, the carton in which it had been shipped, and a leaflet enclosed in the carton, bore and contained false and fraudulent statements that the article possessed curative or therapeutic efficacy with respect to the following disabilities and diseases of poultry: Bronchitis, gapes, coughs, colds, pneumonia, diphtheria, intestinal flu, other infectious ailments of throat, head, and respiratory organs, and sneezing.

The Sanite was alleged to be misbranded in that the bottle labels falsely and fraudulently represented that the article was curative or therapeutic when used in the treatment of dry eczema and aching feet in poultry.

On August 10, 1935, no claimant having appeared, a judgment of condemnation, forfeiture, and destruction was entered.

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

25109. Misbranding of Servex Antiseptic Jelly. U. S. v. 23 Sets and 3 Tubes of Refills of Servex Antiseptic Jelly. Default decree of destruction. (F. & D. no. 35667. Sample no. 26287-B.)

This case involved a drug preparation the labeling of which contained unwarranted curative and therapeutic claims. The labeling also contained representations that the article was antiseptic. Bactericidal tests conducted by this Department, however, failed to show that it had antiseptic properties.

On June 24, 1935, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the district court a