

Misbranding was charged under the allegation that the package of the article bore the following statements, and that they were false and fraudulent representations concerning the curative or therapeutic efficacy of the article, to wit, "Wormer * * * A liquid preparation containing ingredients used in cleaning the intestinal tract and bowel region of certain impurities including Pin, Round and Tape Worms. * * * Do not feed poultry heavily the day before you use Jermite Wormer. The day you use Jermite Wormer, pen the poultry up and put the Wormer in the drinking water. * * * Eight tablespoons of Jermite Wormer to each gallon of water or buttermilk."

On March 14, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

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

25419. Misbranding of Procaine-Epinephrin Dentules No. 2. U. S. v. 19 Boxes of Procaine-Epinephrin Dentules No. 2. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 36895. Sample no. 52040-B.)

The label of this article bore erroneous statements concerning the quantities of its ingredients.

On December 28, 1935, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of certain boxes of Procaine-Epinephrin Dentules No. 2 at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about December 4, 1935, by the Atlantic Manufacturing Corporation, from Brooklyn, N. Y., to Pittsburgh, Pa., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Carton) "Contains procaine 2%"; (circular) "Dentules contain approximately 2.5 cc of anesthetic solution Procaine 2%."

The article was alleged to be misbranded in that the following statements appearing upon and within the package were false and misleading: (Carton) "Contains—Procaine 2%"; (circular) "Dentules contain approximately 2.5 cc of anesthetic solution * * * Procaine 2%."

On January 23, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

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

25420. Misbranding of Knifers Tonic. U. S. v. 11 Bottles of Knifers Tonic. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 36897. Sample no. 48549-B.)

Unwarranted curative and therapeutic claims were made for this article and its label did not bear a correct statement of its alcoholic content.

On January 13, 1936, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of certain bottles of Knifers Tonic at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about April 16, 1935, by the McMurray Drug Co., from Abbeville, S. C., into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Bottle) "Knifers Tonic * * * Prepared only by The McMurray Drug Co., Abbeville, S. C."

Analysis showed that the article consisted essentially of creosote, a chloride, alcohol (37 percent), and water.

The article was alleged to be misbranded (a) in that the label on the package failed to bear a statement of the quantity or proportion of alcohol contained therein, in that the statement, to wit, "Alcohol not over 67% by volume", appearing upon the bottle label and carton, was not a correct statement of the proportion of alcoholic content; (b) in that the following statements appearing upon and within the package were false and fraudulent statements regarding the curative and therapeutic effects of the article: (Carton) "* * * (Formerly known as Dr. Neuffer's Lung Tonic) * * * Especially recommended for Stubborn Coughs * * * Bronchial Asthma and certain conditions of the Respiratory Organs. Contains the Virtues of well-known Remedies for above conditions"; (bottle label) "* * * (Formerly known as Dr. Neuffer's Lung Tonic) * * * Indicated in the treatment of Stubborn Coughs * * * Bronchial Asthma, and certain conditions of the Respiratory Organs. Contains the Virtues of well known Remedies for above conditions."

On February 1, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

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