

**25807. Misbranding of Kloria. U. S. v. 290 Packages and 4 Dozen Packages of Kloria. Default decrees of condemnation and destruction. (F. & D. nos. 32210, 37221. Sample nos. 55655-B, 55656-B.)**

These cases involved interstate shipments of an article described as "Kloria", the package and label of which contained false and fraudulent representations regarding the curative or therapeutic effect of the article with respect to various diseases and ailments.

On February 20 and 21, 1936, the United States attorney for the Northern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 290 packages and 4 dozen packages of Kloria at Chicago, Ill., alleging that the article was shipped in interstate commerce on or about September 18, October 31, November 18, and December 20, 1935, and January 2, 1936, by the Kloria Co., from Fort Wayne, Ind., and that it was misbranded in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted of chloramine and salt.

The article in the lot of 290 packages was alleged to be misbranded in that statements regarding the curative or therapeutic effects of the article, borne on the bottle label and on some of the cartons, falsely and fraudulently represented that the article would be effective in the treatment of most skin diseases, and inflammations, sores, gum infections, pyorrhea, bleeding gums, sore throat, inflamed eyes, and dandruff. The article in the lot of 4 dozen packages was alleged to be misbranded in that statements regarding the curative or therapeutic effects of the article, borne on the bottle label and contained in accompanying circulars, falsely and fraudulently represented that the article would be effective in the treatment of most skin diseases and inflammations, gum infections, sore throat, dandruff, inflamed eyes; that it would by destroying germs in the mouth be effective in preventing infection of influenza, tonsillitis, diphtheria, measles, pneumonia, scarlet fever, infantile paralysis, spinal meningitis, typhoid fever, and tooth decay, and in preventing spread of colds and other diseases; that it would expedite the healing and arrest the spread of boils and other obstinate sores; that by destroying germs in the mouth it would be effective in curing tender, sore, and bleeding gums and in preserving the teeth; that it would be effective in destroying the infection and in expediting the healing of open sores, boils, carbuncles, and most kinds of ulcers, and in the treatment of eczema and dandruff, tonsillitis, and sore throat; that by destroying bacteria in the mouth it would prevent decay of and preserve the teeth, would prevent pyorrhea, tonsillitis, rheumatism, and other diseases, and would destroy all offensive odors arising from tooth decay, diseased gums, etc.; that it would be effective in the treatment of severe infections of catarrh and influenza, inflammation of the eyes, sties, discharge from the ear, bowel infection, and piles; that it would be effective as a disinfectant for vaginal douches and in the treatment of leucorrhoea; and that it would be effective in the treatment of superficial varieties of dog mange and in preventing chicken cholera.

It was also alleged in the libel that the article was misbranded under the Insecticide Act of 1910, as reported in notice of judgment no. 1459 published under that act.

On April 29, 1936, no claimant having appeared, decrees of condemnation were entered and it was ordered that the product be destroyed.

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

**25808. Misbranding of Wine Cod Liver Oil Extract, strychnine sulphate tablets, Grip Tablets C. T., nitroglycerin tablets, anti-asthmatic tablets, and Rhinitis Tablets C. C. T. U. S. v. Direct Sales Co., Inc. Plea of nolo contendere. Fine, \$500. (F. & D. no. 27498. I. S. nos. 5026, 5042, 15765, 15768, 28458, 38153.)**

The composition of these drug preparations differed from that declared on the labels, deficiencies in an important constituent having been found in each instance.

On July 11, 1932, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Direct Sales Co., Inc., Buffalo, N. Y., alleging shipment by it in violation of the Food and Drugs Act as amended, in the period from on or about December 8, 1930, to on or about July 14, 1931 from the State of New York into the States of Massachusetts, Maine, and Connecticut, of quantities of Wine Cod Liver Oil Extract, strychnine sulphate tablets, Grip Tablets C. T., nitroglycerin tablets, anti-asthmatic tablets, and Rhini-

tis Tablets C. C. T. which were misbranded. The articles were labeled severally in part, as follows: (Bottle) "No. 795 Wine Cod Liver Oil Extract \* \* \* Manufactured by Direct Sales Co., Inc. Buffalo, N. Y."; (bottle) "Tablets Strychnine Sulphate C. T. 1/30 Grain"; (bottle) "No. 251 500 Tablets Grip C. T."; (bottle) "No. 492 1000 Hypodermic Tablets Nitro-Glycerine 1/100 grain"; (bottle) "No. 46 1000 Tablets Anti-Asthmatic (Hare)"; (bottle) "No. 478 5000 Tablets Rhinitis C. C. T."

Misbranding of the Wine Cod Liver Oil Extract was charged under the allegation that the bottle label bore the statements, "Wine Cod Liver Oil Extract" and "Each Fluid ounce represents: Cod Liver Oil 120 m.", and that the said statements were false and misleading in that the article was not wine of cod-liver-oil extract, in that each fluid ounce thereof did not represent 120 minims of cod-liver oil, and in that the said article contained no vitamin D, an essential constituent of cod-liver oil.

Misbranding of the strychnine sulphate tablets was charged under the allegation that the bottle label bore the statement, to wit, "Tablets Strychnine Sulphate \* \* \* 1/30 Grain", and that the said statement was false and misleading in that each of said tablets did not contain 1/30 grain of strychnine sulphate, but did contain a less amount.

Misbranding of the Grip Tablets C. T. was charged under the allegation that the label bore the statement, to wit, "Tablets \* \* \* Sodium Salicylate 3 gr.", and that the said statement was false and misleading in that each of said tablets did not contain 3 grains of sodium salicylate, but did contain a less amount.

Misbranding of the nitroglycerin tablets was charged under the allegation that the bottle label bore the statement, to wit, "Tablets Nitro-Glycerine 1/100 grain", and that said statement was false and misleading in that each of said tablets did not contain one one-hundredth of a grain of nitroglycerin, but did contain a less amount.

Misbranding of the antiasthmatic tablets was charged under the allegation that the bottle label bore the statement, "Tablets \* \* \* Nitro-glycerine 1/200 gr.", and that the said statement was false and misleading in that each of said tablets did not contain one two-hundredth of a grain of nitroglycerin, but did contain a less amount.

Misbranding of the Rhinitis Tablets C. C. T. was charged under the allegation that the bottle label bore the statement, "Tablets Rhinitis \* \* \* Quinine Sulphate 1-2 gr.", and that the said statement was false and misleading in that the said article was not rhinitis tablets and each of said tablets did not contain one-half grain of quinine sulphate, but did contain a less amount.

On March 12, 1936, a plea of nolo contendere having been entered, a fine of \$500 was imposed.

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

**25809. Misbranding of East India Injection, Cholérine, and Bloodzone. U. S. v. 44 Bottles, 42 Bottles, and 285 Bottles of East India Injection, Cholérine, and Bloodzone, respectively. Default decree of condemnation, forfeiture, and destruction. (F. & D. nos. 28027, 28028, 28029. I. S. nos. 41947, 41948, 41949.)**

False and fraudulent and therapeutic claims were made for these articles.

On April 20, 1932, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 44 bottles, 42 bottles, and 285 bottles of East India Injection, Cholérine, and Bloodzone, respectively, at Chicago, Ill., alleging that the articles had been shipped in interstate commerce on December 7, 1931, and March 29, 1932, by the East India Medicine Co., from St. Louis, Mo., to Chicago, Ill., and charging misbranding in violation of the Food and Drugs Act. The articles were labeled in part, respectively: (Bottle) "East India Injection, A Venereal Medicine \* \* \* It exercises a decidedly soothing and healing effect"; (bottle) "Cholérine \* \* \* Gives prompt relief in Diarrhea, Cramp-Colic, Cholera Morbus, Summer Complaint \* \* \* caused by digestive trouble, \* \* \* checks running of the bowels and helps the restoration of normal conditions"; (bottle) "Bloodzone \* \* \* A Tonic and Blood Medicine \* \* \* for improving the quality of the blood."

Analysis showed that the East India Injection consisted essentially of a solution of berberine (0.35 percent), in water; that the Cholérine consisted of camphor (0.07 percent), capsicum extract, licorice extract, alcohol, sugar, and water; and that the Bloodzone consisted of extracts of plant drugs including licorice, sugar, alcohol, and water.