

26155. Misbranding of Kirby's Miracle Mineral. U. S. v. 75 Bottles of Kirby's Miracle Mineral. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 37109. Sample no. 49449-B.)

Unwarranted therapeutic and curative claims were made for this article.

On January 23, 1936, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 75 bottles of Kirby's Miracle Mineral at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce by Kirby's Mineral Products, on or about December 16, 1935, from Union, S. C., to Philadelphia, Pa., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Bottle) "Kirby's Miracle Mineral."

Analysis showed that the article consisted of a solution of iron sulphate in water.

Misbranding of the article was charged in that a circular enclosed in its package bore statements regarding the curative and therapeutic effects of the article, which statements falsely and fraudulently represented that it was effective as a remedy and cure for venereal diseases, shankers, gonorrhea, gleet, piles, ulceration of the womb, strained back, tetter worm, bleeding gums and pyorrhea, and that its use had healed thousands.

On February 27, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

26156. Adulteration and misbranding of solution epinephrine hydrochloride. U. S. v. 9 Bottles of Solution Epinephrine Hydrochloride. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 37113. Sample no. 34569-B.)

This article was labeled as a product of United States Pharmacopoeial standard but had a potency of approximately two-thirds of that required by said standard.

On February 3, 1936, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of nine bottles of solution epinephrine hydrochloride at Tucson, Ariz., alleging that the article had been shipped in interstate commerce on or about June 6, 1935, by the Lederle Laboratories, San Francisco, Calif., therefrom to Tucson, Ariz., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Solution Epinephrine Hydrochloride 1:1000 * * * Physiologically Standardized U. S. P. X."

Adulteration of the article was charged in that it was sold under a name recognized in the United States Pharmacopoeia, that it differed from the standard of strength as determined by the test laid down in the pharmacopoeia, and that its own standard was not stated on the label.

Misbranding of the article was charged in that the following statements appearing on the carton and bottle label, in English and Spanish, were false and misleading: (Carton and bottle) "Solution Epinephrine Hydrochloride 1:1000 * * * Physiologically Standardized U. S. P. X.;" (circular) "* * * the 1:1000 Solution of Epinephrine Hydrochloride * * * complies in all respects with the requirements of the U. S. P. X."

On March 9, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

26157. Misbranding of Fowlerine. U. S. v. 18 Bottles of Fowlerine. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 37119. Sample no. 62208-B.)

False and fraudulent curative and therapeutic claims were made for this article.

On January 27, 1936, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 18 bottles of Fowlerine at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about January 30, 1935, by the Fowler Medicine & Chemical Co., Memphis, Tenn., therefrom to New Orleans, La., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Bottle) "Fowlerine."

Analysis showed that the article consisted essentially of a sulphurated oil, turpentine oil, and methyl salicylate.

Misbranding of the article was charged in that its label and carton bore, and a circular enclosed in its package contained, statements regarding the curative and therapeutic effects of the article that were false and fraudulent in that said statements falsely and fraudulently represented that the article possessed curative and therapeutic efficacy when administered in the treatment of kidney, bladder, and rheumatic trouble, nervousness, indigestion, disorders of the generative organs, cramps, and colic, and that it was of a curative and therapeutic benefit to women in connection with periodical cramps or suppressions.

On February 22, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

26158. Adulteration and misbranding of rubbing alcohol. U. S. v. 942 Bottles of an article labeled, variously, "Dr. McClellan's Rubbing Alcohol," "Physicians & Surgeons Rubbing Alcohol," and "Hospital Brand Rubbing Alcohol." Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 37121. Sample nos. 50829-B, 50830-B, 50831-B.)

This article failed to conform to its professed standard, its label bore erroneous statements regarding its composition and was without a statement of the quantity or proportion of alcohol therein.

On January 27, 1936, 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 a libel praying seizure and condemnation of 942 bottles of an article variously labeled, "Dr. McClellan's Rubbing Alcohol", "Physicians & Surgeons Rubbing Alcohol", and "Hospital Brand Rubbing Alcohol" at New York, N. Y., alleging that the article had been shipped in interstate commerce, on or about December 19, 1935, by the Reo Chemical Corporation, from Newark, N. J., to New York, N. Y., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was variously labeled in part: (Bottle) "Dr. McClellan's Rubbing Alcohol * * * Hospital Brand"; "Physicians & Surgeons Rubbing Alcohol"; "Hospital Brand Rubbing Alcohol."

Adulteration of the article was charged in that its strength and purity fell below the professed standard and quality under which it was sold, namely, "Rubbing Alcohol", and the article did not consist of ordinary (ethyl) alcohol, but was a mixture of isopropyl alcohol and water.

Misbranding was charged (a) in that the label bore the statement "Rubbing Alcohol", which statement was false and misleading in that the product did not consist of ordinary (ethyl) alcohol; (b) in that the label failed to bear a statement of the quantity or proportion of isopropyl alcohol contained therein, since the declaration on the label, "70 Proof Isopropyl Alcohol", was meaningless.

On February 17, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

26159. Adulteration and misbranding of M edouard's B. Acidophilus Compound. U. S. v. 13 Packages of M edouard's B. Acidophilus Compound. Default decree of condemnation and destruction. (F. & D. no. 37123. Sample no. 59038-B.)

This article failed to conform to its professed standard; its package bore erroneous statements concerning its ingredients and false and fraudulent curative and therapeutic claims were made for it.

On January 28, 1936, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 13 packages of M edouard's B. Acidophilus Compound at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about October 10, 1935, by Z. Hubay, from Memphis, Tenn., from that place to Kansas City, Mo., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Package) "M edouard's B. Acidophilus Compound * * * Bry's—Memphis * * * Gus Blass—Little Rock Los Angeles. * * * Chicago * * * Indianapolis."

Analysis showed that the article consisted essentially of a moldy mixture of agar, psyllium seed, milk sugar, starchy material, and phenolphthalein, a laxative derived from coal tar (approximately 2.8 percent). It contained no