

26493. Misbranding of Mykel Tooth Powder. U. S. v. 24 Packages of Mykel Tooth Powder. Default decree of condemnation and destruction. (F. & D. no. 87394. Sample no. 8653-B.)

This case involved an interstate shipment of Mykel Tooth Powder the label and package of which bore and contained false and fraudulent statements as to its curative or therapeutic effect.

On March 26, 1936, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 packages of Mykel Tooth Powder at Lincoln, Nebr., alleging that the article had been shipped in interstate commerce on or about February 24, 1936, by the Kent Co., Inc., from Kansas City, Mo., and that it was adulterated and misbranded in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of sodium perborate and talc flavored with methyl salicylate.

The article was alleged to be misbranded in that statements regarding the curative or therapeutic effect of the article, appearing on the packages and contained in an accompanying circular, falsely and fraudulently represented that the article was effective to keep the gums firm, to build up tooth enamel, to diminish possibility of tooth decay, and to prevent mouth infections, and that it was effective for the treatment of pyorrhea.

On May 8, 1936, no claimant having appeared, judgment of condemnation was entered, and it was ordered that the product be destroyed.

M. L. WILSON,
Acting Secretary of Agriculture.

26494. Misbranding of iodine compound. U. S. v. 570 Packages of Economy First Aid Kit. Default decree of condemnation and destruction. (F. & D. no. 37458. Sample no. 67693-B.)

This case involved an interstate shipment of an article, described as "Economy First Aid Kit", containing an iodine compound which was misbranded.

On March 26, 1936, 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 570 packages of an article, labeled "Economy First Aid Kit", at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about February 24, 1936, by the Union Products Co., from New York, N. Y., and that it was misbranded in violation of the Food and Drugs Act. Each of said kits was contained in a carton and included, among other articles, a drug contained in a bottle labeled "Novo Iodide Compound."

The article was alleged to be misbranded in that the statement, "This Economy Kit contains * * * Stainless Iodine Compound", appearing on the carton, and the designation, "Novo Iodide Compound", appearing on the bottle label, were false and misleading since the said drug was a chloramine and potassium iodate compound and not an iodine compound or an iodide compound.

On May 1, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON,
Acting Secretary of Agriculture.

26495. Misbranding of H. G. C. U. S. v. 68 Bottles of H. G. C. Default decree of condemnation and destruction. (F. & D. no. 37462. Sample no. 22535-B.)

This case involved an interstate shipment of an article, described as "H. G. C.", which device by inference falsely and fraudulently represented the curative or therapeutic effect of the article with respect to gonorrhoea and gleet.

On April 1, 1936, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 68 bottles of H. G. C. at Jackson, Miss., alleging that said article had been shipped in interstate commerce on or about January 13, 1936, by the Acme Chemical Co., from New Orleans, La., and that it was misbranded in violation of the Food and Drugs Act as amended. The article was labeled: "Trade Mark 'H. G. C.' Reg. H. G. C. 4 Fl. Oz. Manufactured only by Acme Chemical Mfg. Co., Ltd., New Orleans-La." The meaning of the letters "H. G. C." is defined in the trade-mark registration thereof as follows: "Trade-Mark E. A. Hall. A Remedy For Gonor-

rhea and Gleet No. 17,590 Registered Feb. 25, 1890. H Has Never been known to Fail. Cures in 1 to 3 Days G Guaranteed to be superior to any Known Remedy C."

Analysis of a sample of the article showed that it consisted of packages containing an envelope of magnesium sulphate and a bottle of liquid composed essentially of borax, berberine sulphate, and water.

The article was alleged to be misbranded in that the article contained no ingredient or combination of ingredients capable of producing the effect claimed by the said device, H. G. C., which was applied to the article knowingly and in reckless and wanton disregard of its truth or falsity.

On May 8, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON,
Acting Secretary of Agriculture.

26496. Misbranding of Dr. Ward's Rubbing Alcohol. U. S. v. 261 Bottles of Dr. Ward's Rubbing Alcohol. Default decree of condemnation and destruction. (F. & D. no. 37470. Sample no. 53986-B.)

This case involved an interstate shipment of Dr. Ward's Rubbing Alcohol which was misbranded as to the kind and proportion of alcohol contained therein.

On March 27, 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 261 bottles of an article, labeled "Dr. Ward's Rubbing Alcohol 70 Proof Isopropyl Alcohol", at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about November 20, 1935, by the Wilshire Sales Corporation from New York, N. Y., and that it was misbranded in violation of the Food and Drugs Act.

The article was alleged to be misbranded: (1) In that the statement on the label, "Rubbing Alcohol", was false and misleading since the article contained no ordinary (ethyl) alcohol, but consisted essentially of isopropyl alcohol, acetone, water, and perfume; (2) in that it was an imitation of and was offered for sale under the name of another article, namely, "Rubbing Alcohol"; and (3) in that the package failed to bear a statement on the label of the quantity or proportion of the isopropyl alcohol contained therein, since the statement "70 Proof Isopropyl Alcohol" was meaningless.

On April 20, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON,
Acting Secretary of Agriculture.

26497. Misbranding of Walko Tablets. U. S. v. 179½ Dozen Packages of Walko Tablets. Default decree of condemnation and destruction. (F. & D. no. 37498. Sample no. 59186-B.)

This case involved an interstate shipment of Walko Tablets the package of which bore and contained false and fraudulent representations regarding the curative or therapeutic effect of the article when used as a treatment for poultry diseases.

On April 1, 1936, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 179½ dozen packages of Walko Tablets at Oklahoma City, Okla., alleging that the article had been shipped in interstate commerce on or about January 16, 1936, by the Walker Remedy Co., from Waterloo, Iowa, and that it was misbranded in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of iron sulphate, potassium permanganate, alum, and gypsum.

The article was alleged to be misbranded in that the statements regarding its curative or therapeutic effect, "Walko Tablets for Strong, Healthy Chicks" and "For Your Poultry Troubles * * * Especially valuable for Simple Diarrhea and Loose Bowel Trouble among baby chicks", borne on and contained in the package, were false and fraudulent.

On May 15, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON,
Acting Secretary of Agriculture.