

26753. Adulteration and misbranding of H. P. Healing Balm. U. S. v. 280 Packages of H. P. Healing Balm. Default decree of condemnation and destruction. (F. & D. no. 37684. Sample no. 63068-B.)

This product was represented on the container and in an accompanying circular to be antiseptic, and in the circular to be harmless, when it was not antiseptic and was capable of producing lead poisoning; and the package, the container, and the circular bore and contained false and fraudulent representations regarding its curative or therapeutic effects with respect to specified diseases and ailments.

On April 28, 1936, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 280 packages of H. P. Healing Balm at Salt Lake City, Utah, alleging that the article had been shipped in interstate commerce on or about January 6, 1936, by the H. P. Co., from Wenatchee, Wash., and that it was adulterated and misbranded in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article showed that it consisted essentially of lead oleate and perfume material incorporated in an ointment base. A bacteriological test showed that it was not antiseptic.

It was alleged to be adulterated in that its strength fell below the professed standard or quality, namely, "Antiseptic", under which it was sold.

The article was alleged to be misbranded in that the statements, (container) "H. P. Antiseptic", and (circular accompanying the package) "Antiseptic * * * H. P. is a 'high powered' antiseptic * * * H. P. is a Powerful antiseptic * * * These then are the properties of this remarkable chemical compound: * * * A high powered antiseptic * * * In fact I have never had anything as a germicide or antiseptic to equal it", were false and misleading, since it was not antiseptic. It was alleged to be misbranded further in that the statements, contained in the circular, "Harmless * * * Every element destructive to tissue has been chemically neutralized. * * * Mild to use—so mild you may use it freely on baby's flesh, * * * Does not injure healthy tissue * * * There is no * * * injurious drug used in its manufacture that will deleteriously affect the skin or flesh. Use it freely on baby's flesh. * * * there can be positively no ill effects if quantities are used. * * * But to make it harmless to healthy tissue, every element destructive to tissue has been chemically neutralized * * * is harmless even to the flesh of a baby", were false and misleading since the article was a lead-oleate ointment and as such was capable of producing lead poisoning. It was alleged to be misbranded further in that statements on the package, the container, and in an accompanying circular, contained false and fraudulent representations regarding its curative or therapeutic effects with respect to piles, hemorrhoids, putrid sores, all sores and infections, proud flesh, gangrene, lead poisoning, gunshot wounds, eczema, tick bites, barber's itch, cuts, wounds, felons, boils, carbuncles, erysipelas, blood poisoning, X-ray burns, ringworm, impetigo, nasal infection, sinus trouble, hay fever, ulcers, and mercury sores.

On June 27, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

26754. Misbranding of Mother Beach Stomach Tablets. U. S. v. 56 Bottles of Mother Beach Stomach Tablets. Default decree of condemnation and destruction. (F. & D. no. 37685. Sample no. 63158-B.)

The label of this product bore false and fraudulent representations regarding its curative or therapeutic effects.

On April 27, 1936, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 56 bottles of Mother Beach Stomach Tablets at Chippewa Falls, Wis., alleging that the article had been shipped in interstate commerce on or about March 3, 1936, from Cedar Rapids, Iowa, by the Shores Co., and that it was misbranded in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article showed that it consisted essentially of sodium carbonate (12.1 grains), bismuth subnitrate (9.2 grains), magnesium oxide (8 grains), and starch.

It was alleged to be misbranded in that statements regarding its curative or therapeutic effects, borne on the label, "Stomach Tablets Stomach troubles quickly disappear. * * * Money refunded if stomach trouble does not