

26804. Adulteration and misbranding of sodium fluoride tablets. U. S. v. 4,500 Tablets Sodium Fluoride. Default decree of condemnation and destruction. (F. & D. no. 38166. Sample nos. 56537-B, 56547-B.)

This case involved an interstate shipment of sodium fluoride tablets that contained two-fifths grain of sodium fluoride each instead of one-half grain as represented on the label.

On August 14, 1936, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 4,500 sodium fluoride tablets at Milwaukee, Wis., alleging that the article had been shipped in interstate commerce on or about January 24, 1935, and July 3, 1935, by F. W. Bascomb & Son from Detroit, Mich., and that it was adulterated in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that its strength fell below the professed standard under which it was sold, namely, "Sodium Fluoride $\frac{1}{2}$ Gr.", representing that each of the tablets contained one-half grain of sodium fluoride, when in fact each tablet contained less than one-half grain of sodium fluoride;

On October 20, 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.*

26805. Misbranding of Indian Remedy and Old Indian Liniment. U. S. v. 9 Bottles of Old Indian Liniment and 11 Bottles of Indian Remedy. Default decrees of condemnation and destruction. (F. & D. nos. 38194, 38195. Sample nos. 49409-B, 49410-B.)

The labels on these preparations falsely represented that they had been originated by the Indians, and also bore false and fraudulent curative or therapeutic claims.

On August 21, 1936, the United States attorney for the District of Kansas, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 11 bottles of Old Indian Liniment and 9 bottles of Indian Remedy at Wichita, Kans. It was alleged that the articles had been shipped in interstate commerce by the Ponca Drug Co., from Ponca City, Okla., the Old Indian Liniment on or about February 19, 1935, and the Indian Remedy on or about July 25, 1935, and June 2, 1936, and that the articles were misbranded in violation of the Food and Drugs Act as amended.

Analysis of a sample of the Old Indian Liniment showed that it consisted essentially of kerosene with small amounts of mustard oil, eucalyptus oil, and camphor. Analysis of a sample of the Indian Remedy showed that it consisted essentially of magnesium sulphate (163 grains per fluid ounce), a minute amount of iron compound, and water.

The Old Indian Liniment was alleged to be misbranded in that the following statements appearing on the label falsely and fraudulently represented it was capable of producing the curative or therapeutic effects claimed: "A Healing Oil * * * Relieves burns, * * * sores, * * * ulcers, all flesh wounds, external inflammations, swellings, headache, nervousness, rheumatism, lame back, injuries caused by rusty nails, etc. * * * sores, all flesh wounds, external inflammations, * * * barb-wire injuries, swellings, etc." It was alleged to be misbranded further in that the statement, "Old Indian" and the representation of an Indian, borne on the label, were false and misleading, since the article was not known to the Indians and it contained ingredients that were unknown to them.

The Indian Remedy was alleged to be misbranded in that the following statements, appearing on the label, falsely and fraudulently represented that it was capable of producing the curative or therapeutic effects claimed: "For the Relief of Liver, Kidney and Bowel Disorders. This Stomach and Liver Remedy contains absolutely no injurious drugs * * * Acts quickly on the bowels for * * * flu, sick headache, liver, pains in back, sour stomach, * * * loss of appetite, tired feeling, chills and ague. * * * doing the work of calomel. A system regulator. * * * The results obtained in eliminating the poison from your system in a few hours is marvelous. * * * for acute indigestion repeat as often as necessary." Said article was alleged to be misbranded further in that the statement "Indian Remedy" and the representation of an Indian, borne on the label, were false and misleading, since it was

not an Indian remedy and it contained ingredients that were unknown to the Indians.

On November 27, 1936, no claimant having appeared, judgments of condemnation were entered and it was ordered that the products be destroyed.

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

26806. Misbranding of Arcady Wor-A-Ton. U. S. v. 46 Small, 24 Large, and 29 Large Packages of Arcady Wor-A-Ton. Consent decrees of condemnation. Product released under bond for relabeling. (F. & D. nos. 38204, 38205. Sample nos. 5193-C, 5783-C.)

The package labels of this preparation bore false and fraudulent representations regarding its curative or therapeutic effects with respect to poultry diseases.

On or about August 22 and September 4, 1936, the United States attorneys for the District of Minnesota and the Western District of Michigan, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 70 packages of Arcady Wor-A-Ton at Minneapolis, Minn., and 29 packages of the product at Zeeland, Mich., alleging that the article had been shipped in interstate commerce on or about July 2 and July 25, 1936, by Arcady Laboratories, Inc., from Chicago, Ill., and that it was misbranded in violation of the Food and Drugs Act as amended.

Analyses of samples of the article showed that it consisted essentially of copper sulphate (two analyses showing 24.09 and 22.02 percent, respectively, of copper sulphate) copperas, and plant drugs including kamala, chenopodium, anise, ginger, capsicum, and nux vomica.

The article was alleged to be misbranded in that the following statements appearing on the package labels falsely and fraudulently represented that it was capable of producing the curative or therapeutic effects claimed in said statements: (1-pound packages) "For Poultry Health Directions: Shake Well Before Using. For Grown Birds Mix seven tablespoonsful of the liquid Wor-A-Ton in a moist crumbly mash for each hundred birds, five months or older, and continue this for fifteen mornings straight in the amount of mash this number of birds will clean up in about thirty minutes. Along with this mash treatment, add two tablespoonsful of the liquid Wor-A-Ton to each gallon of drinking water for ten days straight. Repeat in five day treatment every 30 days. For Young Birds. To each hundred birds two weeks to five months old use six tablespoonsful of liquid Wor-A-Ton in a moist, crumbly mash, five mornings straight in the amount of mash the birds will clean up in thirty minutes. Repeat every two weeks. For Baby Chicks. One tablespoonful in each gallon of drinking water for the first two weeks." (Substantially the same statements on the half-pound packages.)

On November 18, 1936, and January 29, 1937, Arcady Laboratories, Inc., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation were entered and it was ordered that the product be released under bond for relabeling.

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

26807. Misbranding of Steketee's Drops For The Treatment of Neuralgia Rheumatism, Steketee's Tablets For The Treatment of Worms, Steketee's Powders For The Treatment of Worms, and Steketee's Syrup For The Treatment of Worms. U. S. v. 59 Bottles of Steketee's Drops For The Treatment of Neuralgia Rheumatism, 50 Packages of Steketee's Tablets For The Treatment of Worms, 72 Packages of Steketee's Powders * * * For The Treatment of Worms, and 34 Bottles of Steketee's Syrup For The Treatment of Worms. Default decree of condemnation and destruction. (F. & D. nos. 38232 to 38235, incl. Sample nos. 6160-C to 6163-C, incl.)

The labels of each of the above-named products bore false and fraudulent representations regarding their curative or therapeutic effects; and with the exception of that on Steketee's Drops For the Treatment of Neuralgia Rheumatism, also false and misleading representations that the articles contained no harmful drugs.

On September 4, 1936, 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 59 bottles of Steke-