

Absorbent Cotton at Providence, R. I., alleging that the article had been shipped in interstate commerce on or about October 9, 1936, by the Hoffman Lion Mills Co., Inc., from Fall River, Mass., and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that its purity fell below the professed standard or quality under which it was sold, namely, "Purest Cotton Obtainable Sterilized—Surgical—Extra Pure," since it was not sterile but was contaminated with both aerobic and anaerobic micro-organisms.

It was alleged to be misbranded in that the statements on the label, "Purest Cotton Obtainable Sterilized—Surgical—Extra Pure," were false and misleading when applied to cotton contaminated with micro-organisms.

On August 11, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

27711. Misbranding of boneset leaves and tops. U. S. v. 272 Packages of Boneset Leaves and Tops. Default decree of condemnation and destruction. (F. & D. No. 39594. Sample No. 22742-C.)

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

On May 14, 1937, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 272 packages of a product labeled, "Boneset Leaves and Tops, N. F.," at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about June 8, 1936, by S. B. Penick & Co. from New York, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of cut stems, leaves, and tops of boneset.

It was alleged to be misbranded in that the following statements borne on the carton label regarding its curative or therapeutic effects were false and fraudulent: "* * * febrifuge. Efficient remedy for influenza or early stages of muscular rheumatism."

On August 7, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

27712. Misbranding of Dr. Sharpsteen's Vegetable Hindoo Oil No. 5, Vegetable Tablets Nos. 1, 2, 3, and 4, and Hindoo Salve No. 16. U. S. v. 9 Bottles of Dr. Sharpsteen's Vegetable Hindoo Oil No. 5, et al. Default decrees of condemnation and destruction. (F. & D. Nos. 39609, 39610, 39611. Sample Nos. 14650-C, 14651-C, 14652-C.)

These products were all misbranded because of false and fraudulent representations in the labeling regarding their curative and therapeutic effects, and because they were labeled to convey the impression that they had been examined and approved by the Government. They were misbranded further because of an incorrect declaration of chloroform on the label of the Hindoo Oil, the absence of any declaration of chloroform on the label of the Hindoo Salve, and because the labeling of the Vegetable Tablets conveyed the impression that they were composed of fruits of the type ordinarily used as food.

On May 18, 1937, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 9 bottles of Hindoo Oil No. 5, 19 boxes of Vegetable Tablets Nos. 1, 2, 3, and 4, and 12 boxes of Hindoo Salve No. 16 at Toledo, Ohio, alleging that the articles had been shipped in interstate commerce on or about January 27 and March 1, 1937, by Drs. H. & V. Sharpsteen from Marshall, Mich., and charging misbranding in violation of the Food and Drugs Act as amended.

Analyses showed that the Hindoo Oil consisted essentially of chloroform (15 percent by volume), saponifiable oils, and volatile oils including oil of saffron, oil of cloves, menthol, and camphor; that the vegetable tablets consisted essentially of: (No. 1 brown-coated tablets) Ferrous carbonate, potassium and sodium sulphates, calcium carbonate, and plant drugs, including a strychnine-bearing drug and a laxative plant drug; (No. 2 white-coated tablets) magnesium carbonate, calcium carbonate, and plant drugs including a strychnine-bearing drug and a laxative plant drug; (No. 3 red-coated tablets) ferrous, magnesium, and calcium carbonates and plant drugs including quinine

and a laxative plant drug; (No. 4 brown uncoated tablets) calcium carbonate and plant drugs including a laxative plant drug; and that the Hindoo Salve consisted essentially of small quantities of chloroform and volatile oils, including oil of sassafras and oil of cloves, incorporated in a fatty base.

The Hindoo Oil was alleged to be misbranded in that the statements, "Vegetable Hindoo Oil * * *" and "Vegetable Oil * * *," appearing in the circular, were false and misleading since they represented that the article was a vegetable oil; whereas it contained 15 percent by volume of chloroform, which is not a vegetable oil. It was alleged to be misbranded further in that the package failed to bear on its label a statement of the quantity or proportion of chloroform contained in the article, since the declaration of chloroform on the carton and bottle label was incorrect.

The vegetable tablets were alleged to be misbranded in that the following statements appearing on the cartons were false and misleading since they created the impression that the preparation was composed of fruits of a type which are ordinarily used for food; whereas they were not: "Vegetable Tablets Composed of Fruits, Roots, Herbs and Seeds. They are a Blood Food and Gland Cleanser."

The Hindoo Salve was alleged to be misbranded in that the package failed to bear on its label a statement of the quantity or proportion of chloroform contained in the article.

The articles were alleged to be misbranded further in that the following statements appearing in the labeling were misleading since they created the impression that the articles had been examined and approved by the Government of the United States and that the Government guaranteed that they complied with the law and that they did so comply; whereas the articles had not been approved by the Government and the Government did not guarantee that they complied with the law, and they did not comply with the law: (Hindoo Oil, bottle and carton) "Dr. Sharpsteen's [on carton, "Drs. H. & V. Sharpsteen's"] Registered Guaranty Complies With The Food and Drugs Act June 30th 1906. Serial No. 7923"; (vegetable tablets, outer carton) "We, the undersigned do hereby guarantee that the articles of Foods or Drugs manufactured, packed or sold by us, Dr. Sharpsteen's Family Medicines, are not adulterated or misbranded within the meaning of the Pure Food and Drug Act of June 30, 1906. Serial No. 7923," (inner cartons) "Guaranteed by Drs. H. and V. Sharpsteen under the Food and Drugs Act, June 30, 1906. Serial No. 7923"; (Hindoo Salve, carton) "Drs. H. & V. Sharpsteen's Registered Guaranty complies with the Food and Drug Act of June 30, 1906. Serial No. 7923"; (all products, circular) "Guaranteed to Comply with the Food and Drug Act of June 30, 1906. Serial No. 7923."

The articles were alleged to be misbranded further in that the bottle label, carton, and circular of the Hindoo Oil bore false and fraudulent representations regarding its effectiveness in the treatment of dyspepsia, colic, stitch, or lame back, gallstones, dropsy, la grippe, coughs, inflammation, collection of gas in stomach and bowels, tape, stomach and pin worms, appendicitis, rheumatism, burns, fistula, piles, constipation, nasal catarrh, consumption, salt rheum, eczema, dryness of the skin, headache, darting pains, neuralgia of the eye, ear, face and teeth, colds, weak lungs, whispery voice, pneumonia, toothache, ulcerated teeth, influenza, attacks in the neck and crown of head, eyeache, earache, cheek and temple ache, ulcers at the juncture of the nose, and ear duct, backache, lame hips, knees, feet and toes, swollen hands and feet, gravel, diabetes, Bright's disease, dropsy of chest, heart and bowels, skin poisons, pimples, blotches, blackheads, croup, quinsy and pleurisy. The cartons and circulars of the vegetable tablets bore false and fraudulent representations regarding their effectiveness in the treatment of stomach, liver, spleen and blood diseases, muscular, sciatic, and inflammatory rheumatism, swollen tonsils, tonsillitis, catarrh, bronchitis, asthma, pneumonia, weak palpitating heart, bloating of stomach and bowels, coughs, phlegm, dyspepsia, nervousness, spleen and liver sickness, kidney troubles, eczema, erysipelas, gallstone of the liver, gravel from the bladder, la grippe, colds which affect the eye, ear, teeth, face and neck, piles, jaundiced complexion, organic, glandular and bodily sickness; and the metal container, carton, and circular of the Hindoo Salve bore false and fraudulent representations regarding its effectiveness in the treatment of pneumonia, lung fever, membranous or common croup, quinsy, caked or agued breast, sore nipples, blind or external piles, chronic constipation or clogged