

On April 6, 1937, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Bleecker-Foster, Inc., St. Paul, Minn., alleging shipment by said company in violation of the Food and Drugs Act on or about April 15, 1936, from the State of Minnesota into the State of Wisconsin of a quantity of iodine ointment that was adulterated. The article was labeled in part: "G. F. Foster's Iodine Ointment * * * G. F. Foster Products Company, St. Paul."

The article was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the test laid down in the said pharmacopoeia, since it contained not more than 4.2 percent of iodine, and no potassium iodide; whereas the pharmacopoeia provides that iodine ointment shall contain not less than 6.5 percent of iodine and shall contain potassium iodide.

On April 6, 1937, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$5.

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

27746. Misbranding of Heinrich's Dermo Carbo Salve, Heinrich's Worm Tablets for Poultry, and Heinrich's Egg Producer and Poultry Tonic. U. S. v. Heinrich Chemical Co. Plea of nolo contendere. Fine, \$15. (F. & D. No. 38605. Sample Nos. 5165-C, 5166-C, 5167-C.)

The labeling of these products contained false and fraudulent representations regarding their curative and therapeutic effects.

On September 28, 1937, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Heinrich Chemical Co., a corporation, Minneapolis, Minn., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about June 17, 1936, from the State of Minnesota into the State of Wisconsin of quantities of the above-named products, which were misbranded. The articles were labeled: "Heinrich Dermo Carbo Salve, Heinrich Chemical Co."; "Heinrich's Worm Tablets for Poultry * * * Distributed by the Heinrich Company"; "Heinrich's Egg Producer and Poultry Tonic * * * Manufactured by Heinrich Chemical Co., Minneapolis, Minn."

Analyses showed that the salve consisted essentially of a small proportion of phenol (carbolic acid) incorporated in a petrolatum base; that the worm tablets consisted essentially of kamala, thymol, and nicotine; and that the "egg producer and poultry tonic" consisted essentially of plant material including middlings, a bitter principle and a pungent principle, cantharides, charcoal, sulphur, and compounds of calcium, iron, and phosphates.

The articles were alleged to be misbranded in that certain statements, designs, and devices regarding their therapeutic and curative effects, appearing in the labeling, falsely and fraudulently represented that the salve was effective as a treatment for sores, old sores, cuts, and wounds; that the worm tablets were effective as a treatment and remedy for tapeworms and roundworms in poultry; and that the poultry tonic was effective as an egg producer and poultry tonic; effective to keep birds in a healthy condition and to stimulate the production of eggs; effective as a preventive of disease, to keep the flock in a vigorous condition, and to ward off diseases of poultry; effective to make young chicks grow, to cause the digestive and assimilative organs to become more active, and to keep the health and vigor of chicks at the best; effective as a relief for chicken cholera, to induce appetite, to relieve nervousness, to produce vital energy, and to put poultry in a first-class condition; and effective to assist in rapidly restoring the vigor and egg-laying propensities of poultry.

On September 28, 1937, a plea of nolo contendere was entered on behalf of the defendant and the court imposed a fine of \$15.

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

27747. Misbranding of Heinrich's Pain-A-Way, Heinrich's Rheumatism Remedy, Heinrich's Medicated Ointment, and Heinrich's San-I-Cide. U. S. v. Heinrich Chemical Co. Plea of nolo contendere. Fine, \$30. (F. & D. No. 38597. Sample Nos. 63164-B, 63169-B, 63170-B, 63171-B.)

These products were misbranded because of false and fraudulent representations in the labeling regarding their curative and therapeutic effects. The ointment was misbranded further because of false and misleading representations regarding its alleged antiseptic properties; and the San-I-Cide because of false and misleading representations regarding its curative and therapeutic effects and the quantity of alcohol that it contained.

On September 28, 1937, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Heinrich Chemical Co., a corporation, Minneapolis, Minn., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about April 15, 1936, from the State of Minnesota into the State of Wisconsin of quantities of the above-named drug products, which were misbranded. The articles were labeled in part: "Heinrich's Pain-a-Way" [or "Heinrich's Rheumatism Remedy" or "Heinrich's Medicated Ointment * * * Antiseptic"] * * * Heinrich Chemical Company * * * Minneapolis"; "Heinrich's San-I-Cide Not Over 12% * * * The Heinrich Company. * * * Minneapolis."

Analyses showed that the Pain-a-way was a light yellow-brown liquid with a strong mustard-oil odor, and consisted chiefly of water, alcohol, mustard oil, and oil of cinnamon; that the rheumatism remedy consisted essentially of a hydroalcoholic solution of sodium salicylate, sugar, and a small amount of plant extractives; that the ointment was a white ointment containing camphor, oil of eucalyptus, and a very small amount of zinc oxide; and that the San-I-Cide was a red hydroalcoholic solution consisting essentially of zinc chloride, menthol, aromatics, and traces of formaldehyde.

The articles were alleged to be misbranded in that certain statements, designs, and devices regarding their therapeutic and curative effects, appearing in the labeling, falsely and fraudulently represented that the Pain-A-Way was effective as a treatment, remedy, and cure for pain in cramps, colic, ordinary diarrhoea and dysentery, rheumatic pains, swellings, and aching joints; that the rheumatism remedy was effective as a remedy for rheumatism and to eliminate rheumatic pains; and effective to increase the infection-combatting cells in the blood and to increase the bodily secretions, thus helping to eliminate rheumatic poisons; that the ointment was effective as a healing and penetrative treatment for all injuries and affections of the skin; and that the San-I-Cide was effective as a treatment, remedy, and cure for bleeding gums, sore throat, tonsillitis, canker, sore mouth, cuts, and wounds; and effective for its healing properties. The ointment was alleged to be misbranded further in that the statement "Antiseptic," borne on the jar label, was false and misleading since it represented that the article was an antiseptic, whereas it was not an antiseptic.

The San-I-Cide was alleged to be misbranded further in that the statements, "An Active Antiseptic * * * combined with * * * other well known antiseptics," and "Not over 12% alcohol," borne on the label, were false and misleading since they represented that the article was an active antiseptic combined with other well-known antiseptics, and that it contained approximately 12 percent of alcohol; whereas it was not an active antiseptic, was not combined with other well-known antiseptics, and did not contain approximately 12 percent of alcohol, but did contain not over 2.6 percent of alcohol by volume. The San-I-Cide was alleged to be misbranded further in that it contained alcohol and the label on the bottle failed to bear a statement of the quantity or proportion of alcohol contained in the article.

On September 28, 1937, a plea of nolo contendere was entered on behalf of the defendant and the court imposed a fine of \$30.

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

27748. Adulteration and misbranding of quinine sulphate tablets and liniment, and misbranding of Mother Beach Stomach Tablets. U. S. v. The Shores Co., Inc. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 38029. Sample Nos. 56207-B, 63158-B, 63203-B.)

This case involved quinine sulphate tablets which contained less quinine sulphate than declared, liniment which contained less alcohol than declared, and Mother Beach Stomach Tablets the labeling of which bore false and fraudulent curative and therapeutic claims.

On February 15, 1937, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Shores Co., Inc., Cedar Rapids, Iowa, alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about February 28, 1936, from the State of Iowa into the State of Ohio of a quantity of quinine sulphate tablets that were adulterated and misbranded; on or about March 3, 1936, from the State of Iowa into the State of Wisconsin of a quantity of Mother Beach Stomach Tablets which