

On March 14 and 29, 1938, the United States attorneys for the Districts of New Jersey and Massachusetts, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 21 packages of Q-Loid in various lots at Jersey City and Union City, N. J., and Brockton, Mass.; alleging that the article had been shipped in interstate commerce on or about January 22 and February 17 and 26, 1938, from New York, N. Y., by the Magay Corporation; and charging misbranding in violation of the Food and Drugs Act as amended.

Analyses showed that the article consisted of: (White tablets) 5 grains of aspirin; (yellow tablets) sulphur and antipyrine, samples from the two lots containing 0.2 grain and 0.4 grain of sulphur and 0.3 grain and 0.2 grain of antipyrine, respectively.

The article was alleged to be misbranded in that the following statements borne on the packages were false and misleading since they created the impression that it was a preparation of sulphur; whereas it contained the synthetic coal-tar drugs, aspirin and antipyrine: (Carton) "Q-Loid * * * A new convenient form of colloidal sulphur, Guaranteed to contain colloidal sulphur, recommended as an aid * * * where colloidal sulphur is indicated"; (booklet) "Q-Loid Colloidal Sulphur Tablets Recommended as an aid * * * where colloidal sulphur therapy is indicated This Pamphlet Tells You * * * How Q-Loid supplies colloidal sulphur in convenient tablets, * * * to evolve a * * * means of administering colloidal sulphur. It remained for laboratory research to make the * * * advance * * * At Last! Colloidal Sulphur In Tablet Form. The development of the tablet method of colloidal sulphur * * * The * * * result was Q-Loid, colloidal sulphur in tablet form, Q-Loid * * * A New Convenient Form of Colloidal Sulphur." Misbranding was alleged further in that the statements in the direction leaflet, "Yellow Tablets—to feed colloidal sulphur into the system," were false and misleading since the yellow tablets contained in addition to sulphur, the synthetic coal-tar drug antipyrine. Misbranding was alleged further in that statements appearing upon the box and in a circular contained in the package falsely and fraudulently represented the curative and therapeutic effect of the article in the treatment of arthritis, rheumatism, and allied conditions.

On April 27 and June 27, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

29017. Misbranding of Anti-Cholelith. U. S. v. 21 Packages of Anti-Cholelith. Default decree of condemnation and destruction. (F. & D. No. 41981. Sample No. 2569-D.)

The labeling of this product bore false and misleading statements that it was guaranteed under the Food and Drugs Act, and it also bore false and fraudulent curative and therapeutic claims.

On March 18, 1938, 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 21 packages of Anti-Cholelith at Oklahoma City, Okla.; alleging that the article had been shipped in interstate commerce on or about February 2, 1938, from Springfield, Mo., by the Leon Chemical Co.; and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of the article showed that it consisted essentially of water, glycerin, phosphoric acid, and extracts of plant drugs including hydrastis and cinchona.

The article was alleged to be misbranded in that the statement on the label, "Guaranteed by The Leon Chemical Company under the Food and Drug Act, June 30, 1906," was false and misleading, since it created the impression that the article had been examined and approved by the Government of the United States, that the Government guaranteed that it complied with the law and that the article did so comply; whereas it had not been so approved, it was not so guaranteed, and it did not comply with the law. Misbranding was alleged further in that statements appearing on the bottle label and in a circular contained in the package, falsely and fraudulently represented its curative or therapeutic effectiveness as a remedy for gallstones and renal calculi, as a treatment for gallstones and abnormal conditions of the bile, and as a nerve and tissue builder.

On April 23, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29018. Adulteration and misbranding of absorbent cotton. U. S. v. 69 Packages and 96 Packages of Absorbent Cotton. Default decree of condemnation and destruction. (F. & D. No. 42287. Sample No. 14426-D.)

This product was represented to be sterile but was unsterile.

On April 30, 1938, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 165 packages of absorbent cotton at Providence, R. I.; alleging that the article had been shipped in interstate commerce on or about February 26, 1938, from Dayville, Conn., by Acme Products Co., Inc.; 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, (carton) "Sterilized * * * Absorbent Cotton * * * Sterilized After Packaging * * * Acme Grade Absorbent Cotton is * * * sterilized cotton * * * this fine sterilized cotton," since it was not sterile but was contaminated with viable micro-organisms.

Misbranding was alleged in that the following statements appearing upon the carton were false and misleading: "Sterilized * * * High Grade * * * Absorbent Cotton * * * Sterilized After Packaging * * * Acme Grade Absorbent Cotton * * * sterilized cotton which is used extensively by practicing physicians. For home uses Acme quality may be relied upon for first aid, sick room, nursery * * * purposes. Exceptional care is used in every process in the manufacture of this fine sterilized cotton. * * * Acme Absorbent Cotton."

On May 16, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29019. Misbranding of Nourse Gall Remedy. U. S. v. 117 Cans of Nourse Gall Remedy. Default decree of condemnation and destruction. (F. & D. No. 35442. Sample No. 11099-B.)

The labeling of this product bore false and fraudulent curative and therapeutic claims.

On April 30, 1935, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 117 cans of Nourse Gall Remedy at Seattle, Wash.; alleging that the article had been shipped in interstate commerce on or about November 23, 1934, from Kansas City, Mo., by Nourse Oil Co.; and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article showed that it consisted essentially of small proportions of a zinc compound, and volatile oils including methyl salicylate and camphor, incorporated in a petrolatum and lanolin base.

The article was alleged to be misbranded in that the following statements borne on the label falsely and fraudulently represented its curative and therapeutic effectiveness: "A modern, antiseptic preparation for Galls, Scratches, Cuts, Sores, Wire Cuts, * * * Hoof Diseases, Sore Necks and Sore Shoulders. * * * Miraculous results obtained when used for Piles, Skin Diseases, Boils, Sores"; (leaflet) "Piles—All Kinds Boils and Ulcers Skin Troubles Cuts and Scratches * * * Wire Cuts * * * Infections * * * healing * * * It is especially fine for healing wire cuts and scratches on horses and cattle. Many a fine work horse has been laid up for months after getting tangled up in barbed wire. Nourse Guaranteed Gall Remedy will heal those cuts and get him back on the job. * * * For Man Also Piles—that painful and depressing affliction suffered by countless thousands—yields quickly to the treatment with Nourse Guaranteed Gall Remedy. Use it freely on itching, bleeding or protruding piles. Fine for boils, ulcers, cuts, scratches, minor infections and many forms of skin diseases."

The article was alleged to be misbranded also in violation of the Insecticide Act of 1910, as set forth in notice of judgment No. 1636 published under that act.

On April 4, 1938, no answer to the libel having been filed, judgment of condemnation was entered and the product was ordered destroyed.

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