

from the State of Missouri into the State of Nebraska, of a quantity of Snare's Re-Lef that was misbranded.

Analysis showed that the article consisted essentially of volatile oils including mustard oil, methyl salicylate, menthol, and a camphoraceous oil, incorporated in a petrolatum base.

Misbranding was alleged in that certain statements, designs, and devices regarding the therapeutic and curative effects of the article, appearing in the labeling, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for pneumonia; effective as a treatment and relief for sinus trouble, catarrh, asthma, flu, rheumatism, piles, cuts, swelling, open sores, appendicitis, and pleurisy; effective to kill germs and infection, to stop inflammation, and to aid "Nature to recovery;" effective as a treatment for anything that causes pain on man or beast; and effective for the relief of throat and lung trouble.

On December 4, 1939, the defendant entered a plea of guilty and the court imposed a fine of \$25.

GROVER B. HILL, *Acting Secretary of Agriculture.*

**30958. Adulteration and misbranding of paregoric and Bateman's Drops. U. S. v. Harry B. McNeal (Kent Drug Co.). Plea of guilty. Fine, \$40 and costs. (F. & D. No. 42735. Sample Nos. 34685-D, 35011-D.)**

The paregoric contained a smaller amount of morphia than that declared on its label and was short of the declared volume. Bateman's Drops contained a smaller amount of laudanum than that declared on the label.

On September 18, 1939, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Harry B. McNeal, trading as the Kent Drug Co., Baltimore, Md., alleging shipment by said defendant in violation of the Food and Drugs Act, within the period from on or about August 19, 1938, to on or about January 25, 1939, of quantities of paregoric and Bateman's Drops that were adulterated and misbranded. The articles were labeled in part: "McNeal's Standard \* \* \* Uniform Brand Paregoric"; and "Bateman's Pectoral Drops."

The paregoric was alleged to be adulterated in that its strength fell below the professed standard and quality under which it was sold since each fluid ounce of the article was represented to contain  $\frac{1}{4}$  grain of morphia; whereas each fluid ounce contained less than the amount represented, namely, not more than 0.18 grain of morphia. It was alleged to be misbranded in that the statements on the label, "Morphia  $\frac{1}{4}$  gr. to fl. oz." and "Each Fluid Ounce Contains  $\frac{1}{4}$  gr. Morphia—Contains 6 fld. drams or over," were false and misleading, since it contained less than  $\frac{1}{4}$  grain of morphia per fluid ounce and the bottles contained less than 6 fluid drams of the said article.

Bateman's Drops were alleged to be adulterated in that their strength fell below the professed standard and quality under which they were sold in that each fluid ounce was represented to contain 20 minims of laudanum; whereas each fluid ounce contained less than the amount represented, namely, not more than 13.1 minims of laudanum. Misbranding was alleged in that the statements, "Each Fluidounce represents Gran. Opium  $1\frac{9}{10}$  grs." and "Each Fluid-ounce contains 20 Minims Laudanum," appearing in the label, were false and misleading, since the said article contained less than 20 minims of laudanum per fluid ounce and each fluid ounce of said article represented less than  $1\frac{9}{10}$  grains, namely, not more than 1.18 grains of granulated opium.

On November 9, 1939, a plea of guilty was entered by the defendant and the court imposed a fine of \$40 and costs.

GROVER B. HILL, *Acting Secretary of Agriculture.*

**30959. Misbranding of X-Ode. U. S. v. 330 Packages, 1,650 Cans, and 167 Drums of X-Ode. Decrees of condemnation and forfeiture. Product released under bond for relabeling. (F. & D. No. 45523. Sample No. 48404-D.)**

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

On June 26, 1939, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 80 2-ounce packages, 250 5-ounce packages, 1,650 1-pound cans, 89 5-pound drums, 77 10-pound drums, and 1 50-