

**26150. Adulteration and misbranding of rubbing alcohol. U. S. v. 34 Dozen Bottles of Rubbing Alcohol, and another libel proceeding against 200 bottles of the same product. Default decree of condemnation, forfeiture, and destruction in each case. (F. & D. nos. 37097, 37120. Sample nos. 50836-B to 50839-B, incl.)**

This article failed to conform to its professed standard and its label erroneously conveyed the impression that its essential ingredient was ordinary alcohol.

On January 22 and January 28, 1936, the United States attorney for the Eastern District of New York, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 234 dozen bottles of rubbing alcohol, alleging that the article had been shipped in interstate commerce by the Reo Chemical Corporation, from Newark, N. J., to Brooklyn, N. Y., on or about November 13, November 20, and December 24, 1935, and charging adulteration and misbranding of the article in violation of the Food and Drugs Act. The article was in two lots of bottles which were labeled, respectively: "Physicians & Surgeons Rubbing Alcohol \* \* \* Meeker Pharmacal Company, Newark", and "Rubbing Alcohol \* \* \*."

Adulteration of the article was charged in that it was sold under the name "Rubbing Alcohol", that it did not consist of ordinary (ethyl) alcohol, that it was a mixture of isopropyl alcohol and water, that its strength and purity fell below the professed standard and quality under which it was sold. This charge, as made in the libel filed on January 22, 1936, was that the mixture was one-third isopropyl alcohol and two-thirds water; and as made in the libel filed on January 28, 1936, that the mixture was about 69 percent isopropyl alcohol and 31 percent water.

Misbranding of the article was charged in that it did not consist of alcohol, that the declaration on its label, "70 Proof Isopropyl Alcohol", was meaningless, that its label did not bear a statement as to the quantity or proportion of isopropyl alcohol it contained; and that the statement on the label, "Rubbing Alcohol", was false and misleading.

On April 21, 1936, no claimant having appeared in either case, a default decree of condemnation, forfeiture, and destruction was entered in each case.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**26151. Misbranding of Nevah Tablets. U. S. v. 141 Bottles of Nevah Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 37098. Sample no. 56468-B.)**

This article contained dangerous drugs and the direction for its use erroneously indicated that it was a safe and appropriate remedy. Unwarranted curative and therapeutic claims were made for the article.

On January 24, 1936, the United States attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 141 bottles of Nevah Tablets at Indianapolis, Ind., alleging that the article had been shipped in interstate commerce on or about February 4, 1935, by the Nevah Laboratories from Lock Haven, Pa., to Indianapolis, Ind., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Bottle) "Nevah Tablets."

Analysis showed that each of the tablets contained amidopyrine (1.6 grains), sodium salicylate (2.8 grains), colchicine, magnesium oxide, pumice, and starch.

Misbranding of the article was charged (a) in that the label thereon bore false and misleading statements, as follows: "Directions 1st day—One tablet with glass of water every 3 hours until 5 doses \* \* \* taken. 2nd and 3rd Days—One tablet with glass of water 4 times a day. 4th, 5th, 6th, and 7th Days—One tablet 3 times a day with glass of water. In some cases it may be advisable to continue the treatment, in which case take one tablet 4 times a day with glass of water", which directions indicated that the article was a safe and appropriate remedy, whereas the article contained dangerous drugs which would render it unsafe and inappropriate when taken according to the aforesaid directions; (b) in that there appeared upon and within the package containing the article statements hereinbefore quoted under the first of the misbranding charges, and the additional statements, "Relief of Pain Indicated in Rheumatic Fever and Gout, Neuritis, \* \* \* Sciatica", which statements were representations regarding the curative or therapeutic effect of the article and were false and fraudulent.

On April 22, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

HARRY L. BROWN, *Acting Secretary of Agriculture.*