

Analysis of the Pep-O-Sol Tablets disclosed that the article contained oxyquinoline sulfate, boric acid, and a sugar, and, when diluted as recommended, was devoid of antiseptic properties. The article was alleged to be adulterated in that its strength differed from and its quality fell below that which it purported and was represented to possess, since it was represented to be an antiseptic whereas it was not an antiseptic within the meaning of the law in that it was not a germicide when used in the dilutions recommended in its labeling, and it did not purport to be and was not represented as an antiseptic for inhibitory use as a wet dressing, ointment, dusting powder, or such other use as involves prolonged contact with the body. It was alleged to be misbranded because of false and misleading statements in an accompanying circular entitled "Near's Stockmen News," which represented and suggested that the article, when used as directed in the drinking water of baby chicks, growing birds, turkeys, and laying flocks, and other livestock, would make the drinking water antiseptic; that the article was a powerful antiseptic; that it would increase pep in poultry, give chicks improved health, cause faster growth, greater vitality, and quicker development; that its use would obviate danger of infection; that it would control disease germs and protect chicks from disease; and that it would be efficacious to keep the intestinal tract clear of infection, aid digestion, and furnish blood-building elements that are necessary for health and vitality.

Analysis of the Vital-X Spray disclosed that it consisted essentially of eucalyptol, camphor, menthol, creosote, turpentine, chloroform, a phenolic substance such as guaiacol, and a saponifiable oil. The article was alleged to be misbranded (1) because of false and misleading statements in the circular accompanying the article, which represented and suggested that it would be efficacious in the cure, mitigation, treatment, or prevention of roup, colds, flu, gapes, bronchitis, and pneumonia in fowls; (2) in that its label failed to bear a statement containing the name of any of the ingredients of the article; and (3) in that its labeling failed to bear any directions for use.

On July 10, 1944, the defendant entered a plea of guilty, and the court imposed a fine of \$100.

**1261. Misbranding of Dr. Holland's Cow Cathartic, Mineralized Medicated Stock Salt, and Liquid Gall Kure. U. S. v. The Holland Stock Remedy Co. and Alan R. Branson. Pleas of guilty. Fine of \$250 and costs against each defendant. (F. D. C. No. 11339. Sample Nos. 798-F, 22098-F, 46808-F, 53172-F.)**

On February 3, 1944, the United States attorney for the Northern District of Ohio filed an information against the Holland Stock Remedy Co., a corporation, Wellington, Ohio, and Alan R. Branson, president and treasurer of the corporation, alleging shipment of quantities of the above-named products between the approximate dates of April 16 and September 9, 1943, from the State of Ohio into the States of Michigan, Pennsylvania, Indiana, and Virginia.

Analysis of the Cow Cathartic disclosed that it consisted essentially of Epsom salt and plant material, including nux vomica (containing strychnine) and ginger. The article was alleged to be misbranded because of false and misleading statements on the label which represented and suggested that disorders of the digestive organs are the most common ailments of cattle; that the article would be efficacious in the cure, mitigation, treatment, or prevention of disorders of the digestive organs of cattle, indigestion, scours, suppression of milk, bloat, and causes of strong smelling, bad tasting, ropy milk; and that the article could be always administered safely to a sick cow. It was alleged to be further misbranded in that its label bore no statement of the quantity of the contents; and in that it contained strychnine and its label did not bear a statement of the quantity or proportion of strychnine contained in the article.

Analysis of the Mineralized Medicated Stock Salt disclosed that it consisted essentially of salt and small proportions of sulfur, charcoal, plant material, and compounds of calcium, iron, and phosphorus. The article was alleged to be misbranded because of false and misleading statements in its labeling which represented and suggested that it would be efficacious in the cure, mitigation, treatment, or prevention of worms, indigestion, or scours and pin worms in horses, contagious abortion in cows, hog cholera, and worms in lambs and sheep; that it was "Medicated," i. e., that it contained ingredients, other than salt, in therapeutically important amounts; that it was effective as a poultry tonic, and would produce good results in the raising of poultry; that it would increase the quantity and improve the quality of milk; and that it would keep animals healthy and enable them to resist disease. It was alleged to be further misbranded in that it was recommended for administration to rabbits, foxes, and other small

animals, and its labeling did not bear adequate directions for administration to such animals.

Analysis of the Gall Kure disclosed that it was a solution of methyrosanilin. The article was alleged to be misbranded because of false and misleading statements in its labeling which represented and suggested that it would be efficacious in the cure, mitigation, treatment, or prevention of galls and sore teats in cows; that it was the best remedy known for all abrasions of the skin on man or beast; that it would be efficacious to purify and heal all kinds of sores, including galls, and open wounds, and all irritated or inflamed surfaces caused by saddle, collar, harness, or hobbles; that it would be efficacious to cause healing of all inflammations, burns, skin irritations, hives, poison ivy, and similar conditions indicated by the abbreviation "etc.," and to cause healing of harness galls, sores, cuts, wire fence jags, sore heels, sore mouths, and similar conditions, indicated by the abbreviation "etc.," on horses, mules, and other animals; that it would produce the effects of violet rays; and that another article, Medicated Stock Salt, would be efficacious as an animal tonic and conditioner, and as a preventative and destroyer of worms. It was alleged to be further misbranded in that its label bore no statement of the quantity of the contents; and in that it did not bear the common or usual name of the article, i. e., "Solution of Methyrosanilin."

On March 1, 1944, pleas of guilty having been entered on behalf of the defendants, the court imposed a fine of 250 and costs against each defendant.

**1262. Misbranding of Oripahs. U. S. v. 58 Packages and 220 Packages of Oripahs. Default decree of condemnation and destruction. (F. D. C. No. 11844. Sample Nos. 46730-F, 54809-F.)**

On February 19, 1944, the United States attorney for the Eastern District of Wisconsin filed a libel against 58 packages, 20-capsule size, and 220 packages, 40-capsule size, of Oripahs, at Milwaukee, Wis., alleging that the article had been shipped on or about September 20, 1943, by Oripahs, Chicago, Ill.; and charging that it was misbranded.

Analysis of a sample of the article showed that the capsules contained boric acid, phenolphthalein (0.26 grain per capsule), and a laxative plant drug such as rhubarb.

The article was alleged to be misbranded (1) in that its name and the statements in the leaflet entitled "Oripahs," enclosed in the retail carton, which represented and implied that the article was to be used for the reduction of body weight were false and misleading since the article was not effective for that purpose; (2) in that the statements on the label, "No Dinitrophenol No Thyroid," which implied that the article was a safe and effective treatment for the reduction of body weight were false and misleading since the article was not safe and effective for that purpose; (3) in that its labeling failed to bear adequate directions for use, since the article, when taken as directed, provided for a full dose of phenolphthalein, i. e., one grain, and an additional quantity of the laxative ingredient rhubarb, whereas the article was essentially a laxative and should have been taken only occasionally, as needed, and not continuously, as recommended; and (4) in that its labeling failed to warn that frequent or continued use might result in dependence on laxatives to move the bowels, and that the preparation should be discontinued if a skin rash appeared.

On March 29, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1263. Misbranding of Special Compressed Tablets. U. S. v. 96,000 Special Compressed Tablets. Consent decree ordering the release of the product under bond. (F. D. C. No. 10510. Sample No. 48443-F.)**

An agreement existed between the shipper and consignee of this product that it was to be repackaged. When repackaged, however, the labeling contained therapeutic claims that constituted misbranding.

On August 31, 1943, the United States attorney for the Northern District of Ohio filed a libel against 96,000 Special Compressed Tablets at Cleveland, Ohio, alleging that the article had been shipped on or about June 9, 1943, by Charles H. Dietz, Inc., St. Louis, Mo.

The article was labeled in part: "Special Compressed Tablet RX2742 Each C. T. contains: Caffeine Alkaloid . . . ¼ gr. Acetphenetidin . . . 2½ grs. Aspirin . . . 3½ grs. Tinct. Gelsemium . . . 2 Min." Examination showed that the article had essentially the composition declared on its label.

The article was alleged to be misbranded (1) in that its labeling failed to bear adequate directions for use; and (2) in that its labeling failed to warn that frequent or continued use of an article containing acetphenetidin may