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 methylrosanilin. 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 Methylrosanilin."

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 acetophenetidin may

be dangerous, causing serious blood disturbances, and that not more than the recommended doses should be taken.

On November 22, 1943, the Jones Surgical Supply Co., Cleveland, Ohio, claimant, filed an answer alleging that the label which was used by it in repackaging the product bore the required warnings, but admitting that the repackaged goods bore words that the Government claimed did constitute misbranding. On the same date the claimant having consented to the entry of a decree, judgment was entered finding that the labels used by the claimant constituted misbranding, and ordering that the product be released under bond, conditioned that it be relabeled with labels approved by the Food and Drug Administration.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS*

1264. Adulteration of calcium gluconate with dextrose. U. S. v. Lloyd M. Curts and Charles D. Folse (Curts-Folse Laboratories). Pleas of guilty. Fine, $100. (F. D. C. No. 10594. Sample No. 3366–F.)

On December 29, 1943, the United States attorney for the District of Kansas filed an information against Lloyd M. Curts and Charles D. Folse, copartners trading as the Curts-Folse Laboratories, Kansas City, Kans., alleging shipment of a quantity of the above-named product from the State of Kansas into the State of Missouri on or about February 8, 1943.

The article was alleged to be adulterated in that its strength differed from and its quality fell below that which it purported or was represented to possess since it purported or was represented to contain 23 percent of calcium gluconate, whereas it contained not more than 16.32 percent of calcium gluconate.

On April 3, 1944, the defendants having entered pleas of guilty, the court imposed a fine of $100.

1265. Adulteration and misbranding of nicotinic acid tablets. U. S. v. Armour & Co. (Armour Laboratories). Plea of nolo contendere. Fine, $100 and costs. (F. D. C. No. 10545. Sample No. 2375–F.)

On September 22, 1943, the United States attorney for the Northern District of Illinois filed an information against Armour & Co., a corporation trading under the name of Armour Laboratories, Chicago, Ill., alleging shipment of a quantity of the above-named product on or about March 11, 1943, from the State of Illinois into the State of Indiana.

The article was alleged to be adulterated in that it purported to be and was represented as nicotine acid tablets, a drug the name of which is recognized in the United States Pharmacopoeia, an official compendium, but its strength differed from and its quality fell below the official standard since the Pharmacopoeia provides that nicotinic acid tablets shall contain not less than 95 percent of the labeled amount of nicotinic acid, whereas the article contained not more than 80.94 percent of the labeled amount of nicotinic acid, and its difference in strength and quality from the official standard was not plainly stated on its label.

The article was alleged to be misbranded in that the statement on its label, "Each Tablet Contains 50 Milligrams Nicotinic Acid," was false and misleading since the article contained not more than 40.47 milligrams of nicotinic acid.

On November 9, 1943, a plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of $50 on each of 2 counts, a total fine of $100 and costs.

1266. Adulteration of dandelion root. U. S. v. 98 Bags of Dandelion Root. Default decree of condemnation and destruction. (F. D. C. No. 11952. Sample No. 65557–F.)

On March 4, 1944, the United States attorney for the Eastern District of Michigan filed a libel against 98 bags of dandelion root at Detroit, Mich., alleging that the article had been shipped on or about January 31, 1944, by the Western Trading Co., Portland, Oreg.; and charging that it was adulterated.

The article was alleged to be adulterated in that it purported to be and was represented as dandelion root, a drug the name of which is recognized in the National Formulary, an official compendium, but its quality and purity fell below the official standard since the Formulary requires that vegetable drugs are to be as free as practicable from molds, insects, or other animal life and animal excreta, whereas the article was infested with live larvae, and contained a large amount of larval excreta and webbing.

On April 24, 1944, no claimant having appeared, judgment of condemnation was entered and the article was ordered destroyed.

*See also Nos. 1255, 1257, 1260.