Analysis of a sample of the article by this department showed that it consisted essentially of the hydrochlorides of quinidine and cinchonidine (6.25 grains per fluid ounce), ferric chloride (0.4 gram per 100 cubic centimeters), extracts of plant drugs including a laxative drug, a trace of eucalyptus oil, alcohol, sugar, and water.

It was alleged in substance in the libel that the article was misbranded in that the following statements appearing on the carton and bottle labels, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "The Body Builder. Blood Medicine * * * The Body Builder Is recommended to * * * stimulate the Liver and Kidneys to action. * * * Purifies the blood, destroys Malaria, stops Chills and Fever quickly and restores vitality to the weakened body. * * * The Body Builder * * * Blood Medicine For Tired Feeling, Sluggish Liver, Enlarged Spleen * * * Dizziness * * * Belching of Gas, Sour Stomach, Weakness, Tired, Lazy Feeling, * * * Indigestion, Foul Breath, Coated Tongue, Liver Spots, Nervousness, Sallow Skin, Melancholia, Pimples, Chronic Chills or Ordinary Chills, Periodical Fevers and the different forms of Blood troubles that are caused by Malaria Poisoning. It is an exceptionally good tonic for females in cases that are peculiar to their sex. * * * Digestant * * * Nerve Tonic * * * The Body Builder;" (bottle) "The Body Builder * * * As a tonic for the blood and general System. * * * To stop Chills and Fever * * * A blood Medicine and Restorative Tonic."

On June 8, 1931, no claimant having appeared for the property, and a jury having found that the allegations of the libel were true and correct, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18667. Adulteration and misbranding of Ergotole. U. S. v. One hundred and thirty-four 1-Ounce Bottles of Ergotole. Default decree of condemnation and destruction. (F. & D. No. 25944. I. S. Nos. 16003, 28701, 28702. S. Nos. 4201, 4250.)

Examinations of samples of the drug product Ergotole from the shipments herein described showed that it contained less of the therapeutically important constituents of ergot than represented and that it would be incapable of producing certain curative and therapeutic effects claimed for it in the labeling, because of its low potency.

On February 25, 1931, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the district aforesaid, holding a District Court, a libel praying seizure and condemnation of one hundred and thirty-four 1-ounce bottles of Ergotole, remaining in the original unbroken packages at Washington, D. C. The marshal having seized 191 bottles of the product, the libel was amended accordingly. It was alleged in the libel as amended that the article had been shipped by Sharp & Dohme (Inc.), from Baltimore, Md., in part on or about November 12, 1930, and in part on or about February 5, 1931, and had been transported from the State of Maryland into the District of Columbia, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Adulteration of the article was alleged in the libel for the reason that it was sold under the following standard of strength, (carton and bottle) "Ergotole * * * A Purified Liquid Preparation of Selected Ergot of Rye Free From Irritating constituents, each c. c. requiring two and one-half grams of the drug in its preparation," (circular) "In order to obtain the full oxytocic effect of Ergot a preparation should be used which contains the water-soluble constituents of Ergot in a maximum and definite amount," whereas the strength of the article fell below such professed standard.

Misbranding was alleged for the reason that the above-quoted statements in the carton and bottle labels and in the circular, were false and misleading. Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Circular) "In order to obtain the full oxytocic effect of Ergot a preparation should be used which contains the water-soluble constituents of Ergot in a maximum and definite amount. The chief use for Ergotole is to excite uterine contraction and to check uterine hem-

orrhage. It is therefore especially valuable in the third stage of labor * * * Ergotole may be administered by the mouth in doses of 15 to 60 minims. Hypodermically 5 to 20 minims."

On May 1, 1931, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18668. Misbranding and alleged adulteration of fluid extract of ergot. U. S. v. Twenty-two 4 ounce bottles of Fluid Extract Ergot. Default decree of condemnation and destruction entered. (F. & D. No. 25943. I. S. Nos. 16004, 28703, 28704. S. Nos. 4201, 4250.)

Examination of samples of a drug represented to be fluid extract of ergot that conformed to the requirements of the United States Pharmacopoeia, showed that the article had a potency of from one-third to two-thirds of that specified by the pharmacopoeia for fluid extract of ergot.

On February 25, 1931, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the district aforesaid, holding a District Court, a libel praying seizure and condemnation of twenty-two 4-ounce bottles of fluid extract of ergot. The libel was subsequently amended to cover the five 4-ounce bottles and 1 pint bottle of the product that had been seized, instead of the twenty-two 4-ounce bottles originally covered by the libel. It was alleged in the libel as amended that the article had been shipped by Sharp & Dohme from Baltimore, Md., in various consignments on or about November 12, 1930 and February 5, 1931, and had been transported from the State of Maryland into the District of Columbia, and that it was adulterated and misbranded in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it was sold under a name recognized in the United States Pharmacopoeia, namely, "Fluid Extract Ergot," and differed from the standard of strength determined by tests laid down in the said pharmacopoeia. Adulteration was alleged for the further reason that the article was sold under the following standard of strength, "Fluid Extract Ergot, U. S. P. X. * * * Biologically Standardized * * * Standard: Each cc. Represents 1 Gram or Each Fluid ounce Represents 456 Grains of Ergot," whereas the strength of the said article fell below such professed standard.

Misbranding was alleged for the reason that the statements on the label, "Fluid Extract Ergot, U. S. P. X. * * * Biologically Standardized * * * Standard: Each cc. Represents 1 Gram or Each Fluid ounce Represents 456 Grains of Ergot," were false and misleading.

On May 1, 1931, no claimant having appeared for the property, judgment was entered finding the product misbranded and ordering its condemnation, and it was further ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18669. Misbranding of Quinseptikons. U. S. v. 1⅓ Dozen Boxes, et al., of Quinseptikons. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 26183, 26184. I. S. Nos. 20156, 15896. S. Nos. 4449, 4450.)

Examination of a drug product, known as Quinseptikons, from one of the shipments herein described having shown that the circular accompanying the article contained statements representing that it possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Middle District of Pennsylvania.

On April 7, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of one and two-thirds dozen boxes of Quinseptikons, remaining in the original unbroken packages at Scranton, Pa., alleging that the article had been shipped by the Tablax Co., from New York, N. Y., in part on or about August 16, 1930, and in part on or about September 8, 1930, and had been transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted of suppositories containing salicylic acid (1.2 per cent), boric acid (14.8 per cent), quinine hydrochloride (4.8 per cent), and cocoa butter.