grains of salol, whereas each of the said tablets contained not more than 4.287 grains of salol. The fluidextract of squill was represented to conform to the standard laid down in the United States Pharmacopoeia, tenth revision, whereas it did not. Adulteration of the fluidextract of squill was alleged for the further reason that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the test laid down in the said pharmacopoeia official at the time of investigation, in that 1 cubic centimeter of the product corresponded to 0.37 milligram of ouabain, whereas the pharmacopoeia provided that 1 cubic centimeter of fluidextract of squill should correspond to 0.83 milligram of ouabain; and the standard of strength, quality, and purity of the article was not declared on the container thereof.

Misbranding was alleged for the reason that the following statements appearing in the labeling of the respective products were false and misleading: "Effervescent Caf-Acetan * * * Containing 10 Grains Acetanilide in Each Ounce"; "Pill Blue Mass 5 Grains"; "1 cc. Ampoules * * * Sodium Cacodylate"; "Moulded Triturate * * * Arsenous Acid 1-60 Grain"; "Triturate * * * Arsenous Acid Arsenic Trioxide 1-100 Grain"; "Tablet Salol 5 Grains"; "Fluid Extract Squill U.S.P. 10th Revision."

On March 20, 1933, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of $200.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20552. Adulteration and misbranding of Lav-O-Din. U.S. v. The Lav-O-Din Co. Plea of guilty. Fine, $150. (F. & D. no. 28068. I.S. no. 11161.)

Examination of samples of the drug preparation, Lav-O-Din contained in 4-, 8-, and 16-ounce bottles, disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. It also was claimed for the article that it was an antiseptic, and that it was an iodine antiseptic, whereas it was not an antiseptic when used as directed, and contained no free iodine.

On September 23, 1932, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the Lav-O-Din Co., a corporation, trading at Oakland, Calif., alleging shipment by said company in violation of the Food and Drugs Act as amended, in two consignments, on or about January 22 and March 17, 1931, from the State of California into the State of Oregon, of quantities of the said Lav-O-Din, which was adulterated and misbranded.

Analysis of a sample of the article by this Department showed that it consisted essentially of small proportions of potassium iodide, sodium chloride, borax, glycerin, alcohol (7.9 percent by volume), and water, flavored with cassia oil and colored with a red dye. Bacteriological examination showed that the article was not antiseptic.

It was alleged in the information that the article was adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, in that it was represented to be an ideal and an iodine antiseptic, and that it could destroy germs when used as directed, whereas it was not an antiseptic when used as directed, and could not destroy the germs commonly present in the conditions for which it was prescribed.

Misbranding was alleged for the reason that the statements, "An Ideal Antiseptic No Germ Can Live In it", borne on certain of the cartons, and the statements, "An Iodine Antiseptic No Germ Can Live In It", borne on the remainder of the cartons and on the bottle labels, and the statements, "An Iodine Antiseptic No Germ Can Live In It, * * * its * * * antiseptic action, * * * an antiseptic, * * * In order to combat disease the germ must be destroyed, * * * It also guards against the germ-laden tooth brush", borne on the circular enclosed in the 4-ounce cartons, were false and misleading, since the article was not an antiseptic when used as directed, and could not destroy the germs commonly present in the conditions for which the product was prescribed. Misbranding was alleged for the further reason that certain statements, designs, and devices regarding the therapeutic and curative effects of the article, appearing on the bottle and carton labels, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for pyorrhea, trench mouth, spongy and bleeding gums, infections, wounds, cuts, boils, abscesses, carbuncles, running sores, erysipelas, itching eczema, piles in all forms,

sore throat, tonsilitis, quincy, and nasal catarrh; and effective to retard tooth decay and receding gums. Misbranding was alleged with respect to the 4-ounce bottles for the further reason that certain statements, designs, and devices, contained in a circular shipped with the article, regarding the curative and therapeutic effects of the article, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for sore throat, quinsy, tonsilitis, acute and chronic inflammation of the throat, bleeding gums, pyorrhea, trench mouth, spongy loose gums, cuts, wounds, infections, nasal conditions, nasal catarrh, hay fever and all infections of the nasal cavity; effective as a treatment against disease in time of epidemics; effective as a remedial spray in oral and nasal cavities; and effective to retard tooth decay and receding gums.

On November 14, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $150.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20553. Misbranding of Papoose root beer. U.S. v. 68 Bottles, et al., of Papoose Root Beer. Default decrees of condemnation and destruction. (F. & D. nos. 29058, 29059, 29108. Sample nos. 16937-A, 16943-A, 16946-A.)

Analyses of the root beer extract covered by these cases disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the bottle labels.

On October 14, 1932, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 68 bottles of the said Papoose root beer extract at Mobile, Ala. On or about October 14, and October 21, 1932, the United States attorney for the Southern District of Mississippi, filed libels against 57⅔ dozen bottles of the product at Gulfport, Miss. It was alleged in the libels that the article had been shipped in interstate commerce by E. A. Zatarain & Sons, Inc., in various shipments, on or about July 2, July 11, and August 13, 1932, from New Orleans, La., into the States of Alabama and Mississippi, and that it was misbranded in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of extracts of plants, glycerin, and water, colored with caramel and flavored with sassafras oil and methyl salicylate.

Misbranding of the article was alleged in the libels for the reason that the following statements appearing on the bottle labels, regarding the curative and therapeutic effects of the article, were false and fraudulent: "It is Nature's own remedy. It is a gift from the Almighty * * * It is a treasure for the sick and afflicted. It is free for the blind and in all cases of incurable diseases."

No claim or answer was filed in the cases. On February 27, 1933, judgments of condemnation were entered in the cases instituted in the Southern District of Mississippi, and the court ordered that the product be destroyed by the United States marshal. On March 6, 1933, a decree of condemnation and destruction was entered against the product seized at Mobile, Ala.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20554. Conspiracy to violate the Food and Drugs Act. U.S. v. Harry Lesser, Forrest E. James, Walter E. Anderson, Philip M. Lahn, and Henry J. Henners. Tried to a jury. Indictment dismissed as to defendant Anderson. Defendants Lesser and James found guilty; each sentenced to 1 year and 8 months' imprisonment and fined $2,500, without costs. Defendant Lahn found guilty and sentenced to 1 year and 5 months' imprisonment, without costs. Verdict of not guilty as to defendant Henners. Appeal to Circuit Court of Appeals. Judgment of conviction affirmed. (Conspiracy no. 100.)

This indictment charging conspiracy to violate the Food and Drugs Act was the result of investigations conducted by the Food and Drug Administration. At the trial evidence was introduced showing interstate shipments by the defendants trading as Jordan Bros., S. A. Hall, and Charles M. Pomeroy, of a product labeled, "Liquid Medicine", and invoiced as "Fluid Extract of Ginger, U.S.P.", or with a similar statement representing that the article was fluidextract of ginger made in accordance with the formula set forth in the United States Pharmacopoeia. Analyses of samples showed that it contained a smaller proportion of ginger extractives than contained in the pharmacopoeial product. It also contained an abnormal ingredient, an organic phosphorous