

Mason City, Iowa. It was alleged in the libels that the article had been shipped in interstate commerce, between September 5, 1932 and November 3, 1932, by the Standard Chemical Manufacturing Co., from Omaha, Nebr., into the States of Minnesota and Iowa, 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 calcium carbonate, calcium phosphate, sodium chloride, sodium hyposulphite, iron sulphate, and small proportions of plant material.

The libels alleged that the article was misbranded in that the following statements in the labeling were false and misleading: (Carton) "Egg a Day How to Buy Egg a Day"; (portion of cartons) "Makes more eggs"; (circular) "Egg a Day You bought this package of Egg a Day because you want to get more eggs. The egg is the chief end of poultry production and the number of eggs a hen produces marks the difference between loss and profit. We want you to get the best results from the use of Egg a Day. We want your hens to make a profit for you. To get the most eggs you must follow these directions We guarantee you will get more eggs if you follow these directions, but we cannot guarantee anything definite unless they are followed exactly. Give one heaping tablespoonful of Egg a Day once a day to 25 hens. Add the Egg a Day to the dry mash, gruel or moistened feed. A good dry mash is listed below. * * * Use Egg a Day According to Directions and You Will Get Results." Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, appearing in the circular, were false and fraudulent: "Egg a Day for growing chickens. Standard Egg a Day develops strong, healthy chickens and is especially recommended for them. * * * When full grown use two pounds to 100 pounds of feed. You will have fewer losses, better poultry, and the pullets will lay more eggs. They will also go through the moult better * * * You will accordingly see that nearly every hen has larger egg laying possibilities than are usually realized upon, consequently you will be interested in knowing how the ordinary hen may be stimulated to greater egg laying activity. The use of Egg a Day together with a careful following of the directions for care and feeding, which are found on the other side of this sheet, is the answer. * * * Under the stimulus of Egg a Day the initial cells from which the yolks are formed begin to grow. * * * The other necessary elements are supplied by Egg a Day in just the proper proportions for maximum egg production. * * * Egg a Day stimulates and quickens the digestive processes, making possible a greater degree of assimilation. This means more eggs on less feed."

On June 3, June 9, August 31, and November 24, 1933, no claimant having appeared for the property, judgments were entered ordering that the product be destroyed by the United States marshal.

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

20948. Misbranding of Nofal. U. S. v. 48 Bottles of Nofal. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29968. Sample no. 2259-A.)

Examination of the drug preparation Nofal disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the bottle label. The alcohol declaration was not properly made, since it was placed inconspicuously on the back label.

On March 27, 1933, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 48 bottles of Nofal at Denver, Colo., consigned by the Lifol Co., Tulsa, Okla., alleging that the article had been shipped in interstate commerce, on or about August 3, 1932, from Tulsa, Okla., 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 essentially of coal tar creosote, rosin soap, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the article, appearing on the bottle label, were false and fraudulent: "Where There's Life There's Hope. Nofal A scientific preparation for building healthy tissue and destroying wasted tissue. Heals Eczema, Tetter, * * * Pyorrhea, and all forms of irritation. * * * Guaranteed—Will Grow Hair Stops Falling Hair Now! * * * Moistens scalp of diseased surface * * * For bleeding

gums, moisten tooth brush with Nofal (instead of water) using any good tooth paste. Apply 2 or 3 times a day." Misbranding was alleged for the further reason that the package failed to bear a statement on the label of the quantity or proportion of alcohol contained in the article, since the declaration appeared inconspicuously upon the back label.

On May 31, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

20949. Misbranding of Dr. Simmons' silver and mercury. U. S. v. 9 Bottles of Dr. Simmons' Silver and Mercury. Default decree of condemnation and destruction. (F. & D. no. 28818. Sample no. 13692-A.)

Examination of the drug preparation, Dr. Simmons' silver and mercury, disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the carton and in circulars shipped with the article.

On September 29, 1932, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 9 bottles of the said Dr. Simmons' silver and mercury at Mesa, Ariz., alleging that the article had been shipped in interstate commerce on or about June 30, 1932, by the S. M. Laboratories, Inc., from Seattle, Wash., and charging misbranding in violation of the Food and Drugs Act as amended. The curative and therapeutic claims were borne on a carton and were contained in three different leaflets or pamphlets, one or more of which accompanied each package.

Analysis of a sample of the article by this Department showed that it consisted essentially of water containing colloidal silver and mercury, stabilized by a protein.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the article were false and fraudulent: (Carton) "'SM' is * * * used for the treatment of certain diseases of the genito-urinary tract. * * * deeply penetrating"; (green leaflet entitled "To the Public") "Richard H. Simmons, M. D., Diseases of The Genito-Urinary Tract. To the Public: I have found in practice and hope to benefit the entire populace with my findings, a treatment for the relief of pain, irritation, etc., culminating in purulent discharges. The treatment of purulent discharges is indeed simple if the correct preparation is administered. Beyond all doubt, I have found a preparation of exceptional merit that is so positive in results that I recommend it not only to the patient, but also to the physician. With care, the patient will obtain remarkable results by self-administration. There is no possible chance of injury to the urethra or prostate gland as caused by many preparations self-administered. By treatment in your own privacy, you alone are aware of your misfortune. * * * truly a discovery of note in Materia Medica, and as such, warrants utmost confidence. We sincerely believe that with full cooperation in following the directions carefully, you will obtain better results than through the use of any other form of treatment. * * * Directions for the use of 'SM' Liquid. First, urinate before using 'SM', and not for an hour after injection of 'SM.' * * * These injections are to be made three or four times daily, Not oftener. Do Not dilute 'SM.' Use full strength. Third, use in same way for a week to ten days after discharge ceases. During this period it is advisable to gently massage while medicine is being held in canal. * * * In order to get the results you expect, you must assist nature, which you can do by observing the following instructions. * * * For the Protection of Humanity. A preponderance of the ills to which the inhabitants of this earth are heir, are the result of lack of knowledge, the old adage, 'An ounce of prevention is worth a pound of cure,' still holds good. Various 'SM' Products have been conceived to fill a very definite need. For recommended purposes, comparative clinical laboratory tests and observation cases indicate they have no equal"; (yellow leaflet entitled, "Directions 'SM' Prophylactic") "Should you neglect to properly safeguard yourself and become infected, use 'SM' Liquid immediately. With each bottle, complete directions—how to avoid complications and achieve desired results. * * * 'SM' Liquid—For the Treatment of Purulent Discharges"; (pamphlet) "A Reprint of a Confidential Bulletin to the Medical Profession." The portion of this pamphlet which refers to 'SM' (first 14½ pages) was false and fraudulent almost in its