

Misbranding was alleged with respect to the product in one of the shipments for the reason that the statement, "Net Wt. 2 Ounces", was false and misleading.

On June 21, 1933, the Mills Sales Co., Chicago, Ill., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the claimant for relabeling under the supervision of this Department, upon payment of costs and the execution of good and sufficient bonds, conditioned that it should not be sold or otherwise disposed of contrary to the Food and Drugs Act and all other laws.

M. L. WILSON, *Acting Secretary of Agriculture.*

21220. Misbranding of Alberty's Anti-Diabetic Vegetable Compound capsules. U. S. v. 172 Boxes of Alberty's Anti-Diabetic Vegetable Compound Capsules. Decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. no. 30538. Sample nos. 38255-A, 38256-A.)

Examination of the drug preparation involved in this case disclosed that it contained no ingredients or combination of ingredients which would justify the therapeutic claim that it was "Anti-Diabetic."

On May 29, 1933, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 172 boxes of Alberty's Anti-Diabetic Vegetable Compound Capsules at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce, on or about October 21 and November 1, 1932, by U. S. Okey, from Hollywood, Calif., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Alberty's Anti-Diabetic Vegetable Compound Capsules * * * The Alberty Food Laboratories * * * Hollywood, Calif."

Analysis of a sample of the article by this Department showed that it consisted essentially of powdered plant materials.

It was alleged in the libel that the article was misbranded in that the statement on the label, "Anti-Diabetic", was a statement regarding the curative or therapeutic effect of the article and was false and fraudulent.

On June 8, 1933, Thomas Martindale & Co., Philadelphia, Pa., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$258, conditioned that it be relabeled under the supervision of this Department.

M. L. WILSON, *Acting Secretary of Agriculture.*

21221. Adulteration and misbranding of Regum Mouth Paste. U. S. v. Daniel B. Morgan and Carl O. Sampson (Morgan & Sampson). Pleas of guilty. Fine, \$60. (F. & D. no. 28194. I. S. no. 23403.)

Examination of the Regum Tooth Paste on which this case was based disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. Tests of the article also showed that it was not an antiseptic, as claimed.

On January 21, 1933, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Daniel B. Morgan and Carl O. Sampson, copartners trading as Morgan & Sampson, San Francisco, Calif., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about February 24, 1932, from the State of California into the State of Oregon, of a quantity of Regum tooth paste which was adulterated and misbranded. The article was labeled in part: (Tube) "Regum Tooth Paste * * * Manufactured by Red Gum Products Co., San Francisco"; (circular) "An active antiseptic."

Analysis of a sample of the article by this Department showed that it consisted essentially of calcium carbonate, glycerin, soap, small proportions of zinc chloride and resins, and water, flavored with aromatics.

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 active antiseptic, whereas it was not an active antiseptic.

Misbranding was alleged for the reason that the statement in the circular, "An active antiseptic", was false and misleading. Misbranding was alleged

for the further reason that certain statements, designs, and devices regarding the curative and therapeutic effects of the article, appearing on the carton and tube labels and in the circular, falsely and fraudulently represented that it was effective to harden gums; effective to stop bleeding gums and to prevent pyorrhea; effective to retard the formation of tartar; and effective to heal and strengthen sore, tender, inflamed, bleeding gums.

On July 21, 1933, the defendants entered pleas of guilty to the information, and the court imposed fines totaling \$60.

M. L. WILSON, *Acting Secretary of Agriculture.*

21222. Misbranding of G. C. C. Golden Chemical Compound. U. S. v. 125 Bottles of G. C. C. Golden Chemical Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29858. Sample no. 6248-A.)

Examination of the product involved in this case disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. The article was represented to be the most powerful germicide known, whereas it was not.

On February 20, 1933, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 125 bottles of the said G. C. C. Golden Chemical Compound at Oklahoma City, Okla., alleging that the article had been shipped in interstate commerce, on or about December 9, 1932, by the International Chemical Co., from Topeka, Kans., 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 iron sulphate dissolved in water.

It was alleged in the libel that the article was misbranded in that the statement on the display card accompanying the shipment, "The most powerful Germicide known", was false and misleading. Misbranding was alleged for the further reason that the following statements in the labeling, regarding the curative and therapeutic effects of the article, were false and fraudulent: (Display card) "For all kinds of Sore Throat, Tonsillitis, Diphtheritic and Scarlet Fever Sore Throat, Sore Mouth and Gums, Trench Mouth, Pyorrhea, Catarrh, and Sinus Trouble, * * * Old Sores, Itch of all kinds, Eczema, Erysipelas, Ring Worms, * * * Bleeding Piles, Prevents Blood Poisoning"; (carton) "Is recommended for Tonsillitis, Diphtheritic and Scarlet Fever Sore Throat, Pyorrhea, Trench Mouth, Catarrh, Sinus, Erysipelas, Eczema, Ring Worm, * * * Old Sores, * * * Bleeding Piles, Prevents Blood Poisoning"; (bottle label) "For Diphtheria and Tonsillitis, put 5 to 10 drops in a tablespoonful of water, and gargle several times an hour. Then apply pure on a swab; continue swabbing the throat every hour or two until completely relieved then three times a day. It never fails if it is properly used"; (white circular) "For all kinds of Sore Throat, Tonsillitis, Diphtheritic, Scarlet Fever Sore Throat, Sore Mouth and Gums, Trench Mouth, Catarrh, Sinus Trouble, * * * Old Sores, Itch of all kinds, Eczema, Erysipelas, Ring Worms, * * * Bleeding Piles * * * Prevents Blood Poisoning * * * It Cures by Removing The Cause [Testimonials] 'G. C. C. saved my boy's life when he had Diphtheria.' * * * Sore throat and Tonsillitis disappear like magic. * * * 'G. C. C. beats everything I have ever seen for a sore throat.' * * * 'G. C. C. Checks itching and bleeding piles at once.' * * * 'Our little girl had eczema. I used G. C. C. I could not believe my own eyes, in a weeks time she was well.' * * * 'Erysipelas, Ring Worms and Itch promptly relieved by G. C. C.' * * * 'After trying everything recommended for Trench mouth, Pyorrhea and Bleeding gums, I used G. C. C. am now well.' * * * 'Our daughter suffered from Tonsillitis and enlargement of the tonsils. We used G. C. C. in a short time she was well and it never returned'; (pink circular) "Tonsillitis and Sore Throat.—Dilute using 10 to 20 drops to a teaspoonful of water as a gargle * * * until well. Diphtheritic and Scarlet Fever Sore Throat—Begin as above then apply pure on a swab, continue swabbing the throat every hour until all membrane is removed. Sore Mouth, Bleeding Gum, Pyorrhea, and Trench Mouth—Dilute 10 to 20 drops to a teaspoonful of water increase the strength gradually * * * until well. Catarrh and Sinus Trouble * * * Old Sores—Dilute to begin with using 5 to 10 drops in half glass of water, bathe parts affected or saturate bandage gradually increasing the strength until well. Eczema and Erysipelas—If open running sores * * * Ring Worms, Itch * * * Apply pure a few applications every hour will be