Healthy Mouth is a Good Foundation", (circular) "Pyro-Sana Tooth paste will check pyorrhea, make the gums hard and firm, relieve and prevent soft, bleeding gums and maintain a vigorous and healthy mouth."

On September 21, 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.

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

21589. Misbranding of Nu Pine. U. S. v. 213 Bottles of Nu Pine. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30762. Sample no. 42945–A.)

Examination of the drug product, Nu Pine, disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. The packages failed to bear a statement on the label of the quantity or proportion of alcohol contained in the article.

On July 22, 1933, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 213 bottles of Nu Pine at Scranton, Pa., alleging that the article had been shipped in interstate commerce on or about November 9, 1932, by the Ray Sales Co., from New York, N.Y., 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 alcohol (80.8 percent), volatile oils such as camphor and eucalyptol, and water.

It was alleged in the libel that the article was misbranded in that the package failed to bear a statement of the quantity or proportion of alcohol contained in the article. Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article, were false and fraudulent: (Jar) "For * * * Hay Fever", (carton) "For * * * Hay Fever * * * Sinus Congestion * * * Bronchial Asthma."

On August 16, 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.

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

21590. Adulteration and misbranding of fluidextract of burdock root. U. S. v. Standard Pharmaceutical Corporation. Plea of guilty. Fine, $10 and costs. (F. & D. no. 30212. Sample no. 7751–A.)

This case was based on an interstate shipment of a product represented to be fluidextract of burdock root of National Formulary standard. The article did not conform to the standard prescribed in the National Formulary for fluidextract of lappa (a name synonymous with burdock) since it contained a large amount of mydriatic alkaloids, indicating that it had been prepared in whole or in large part from a mydriatic drug, such as belladonna, a preparation which would be dangerous if prescribed in the doses usually prescribed for the less potent drug, fluidextract of burdock root.

On September 20, 1933, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Standard Pharmaceutical Corporation, Baltimore, Md., alleging shipment by said company in violation of the Food and Drugs Act, on or about June 2, 1932, from the State of Maryland into the State of Georgia, of a quantity of alleged fluidextract of burdock root that was adulterated and misbranded. The article was labeled in part: "Fluidextract Burdock Root N. F. * * * Each Mil. represents one Gramme or each fluid ounce 456 grs. Burdock Root * * * Standard Pharmaceutical Corp. Baltimore, Md."

It was alleged in the information that the article was adulterated in that it was sold under a name recognized in the National Formulary and differed from the standard of strength, quality, and purity as determined by the tests laid down in the said formulary, in that it contained mydriatic alkaloids, which the formulary does not prescribe as normal constituents of fluidextract of burdock root.

Misbranding was alleged for the reason that the statements, "Fluidextract Burdock Root, N. F." and "Each mil. represents one gramme or each fluid