

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the article, appearing in the labeling, were false and fraudulent: (Carton and bottle) "Cly-Tone Tonic Made for Your Health * * * Cly-Tone is highly indicated in the treatment of Chronic Constipation, Indigestion, blood, Stomach, Kidney and Functional Disorders of the liver. * * * Indigestion * * * Cly-Tone first aid to health for the Stomach, Blood, Liver or Kidneys"; (circular) "Cly-Tone * * * he had dizzy spells and couldn't sleep for nervousness and his appetite was gone. He became weak and shaky and had shooting pains in his back. * * * I couldn't let it run on like some do for a man has to be fit to hold this job. I was advised to take Cly-Tone. * * * I was nearly down and out. The first bottle convinced me. * * * I feel like a new man. * * * sick man. * * * my stomach went wrong. I had heavy burning pains in my stomach till I could hardly stand straight. Black spots came before my eyes. I couldn't eat or rest * * * I would be fagged out. * * * advised me to try Cly-Tone. * * * famous tonic. I took two bottles before I felt much benefit. Indigestion is the hardest thing in the world to cure. But I'm better now and I know I have the right medicine. I'm going to stick to Cly-Tone. It has saved my health. * * * with two bottles of Cly-Tone Iron Tonic made him as good a man at 60 as he was at 35 years. * * * Cly-Tone: The famous Iron and Herb Tonic. * * * sure, * * * remedy for * * * liver and kidney trouble, indigestion and stomach trouble, impure blood, weak, nervous, run down system, sleeplessness, headache, backache, and stomach ache."

On January 8, 1934, 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.*

21824. Misbranding of Tarolfectant. U. S. v. Sioux Oil Tar Disinfecting Co. Plea of guilty. Fine, \$50 and costs. (F. & D. no. 31358. Sample no. 22116-A.)

Examination of the drug product, Tarolfectant, disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On November 15, 1933, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Sioux Oil Tar Disinfecting Co., a corporation, Sioux City, Iowa, alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about March 4, 1933, from the State of Iowa into the State of Minnesota, of a quantity of Tarolfectant that was misbranded.

Analysis of a sample of the article by this Department showed that it consisted essentially of coal tar oils.

It was alleged in the information that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the article, were false and fraudulent: "Hog Flu * * * Directions for Hog Flu * * * Three treatments in nine days should make all your hogs * * * in a more healthful condition."

The information also charged a violation of the Insecticide Act of 1910 (N.J. no. 1279). On November 15, 1933, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs for violation of both acts.

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

21825. Misbranding of PX for Personal Hygiene. U. S. v. 34 Bottles, et al., of PX For Personal Hygiene. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 31545, 31546, 31551. Sample nos. 56012-A to 56017-A, incl., 37372-A.)

Examination of the drug product, PX For Personal Hygiene, disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On November 7, 1933, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of thirty-six 3-ounce bottles, twelve 8-ounce bottles, and five 16-ounce bottles of PX For Personal Hygiene at Seattle, Wash. On November 10, 1933, libels were filed in the Northern District of Illinois against sixty-eight 3-ounce bottles, one hundred and sixty-four 8-ounce bottles, and forty-seven 16-ounce bottles of the product at Chicago, Ill.