

effective as a treatment, remedy, and cure for biliousness and ailments of the stomach and liver, sick headache, intermittent and remittent fevers, piles, indigestion, colic, jaundice, dropsy, dyspepsia, heartburn, dysentery, diseases of the liver, kidneys, and bladder, eruptions of the skin, nervousness and all disorders that arise from a diseased liver or from impure blood; and effective as a treatment, remedy, and cure for torpid liver, vertigo and swimming in the head, bilious attacks, chills and fever, and worms.

Analysis of the Colorado Cough and Catarrh Root showed that it consisted essentially of plant material bearing evidence of insect infestation. Said article was alleged to be misbranded in that statements regarding its curative and therapeutic effects, appearing on the box labels, on wrappers enclosing the boxes, and in a circular enclosed in each of the wrappers, falsely and fraudulently represented that the article would be effective as a remedy for all coughs, catarrh, catarrh in the throat, bronchial affections, bronchitis, asthma, all throat, lung, and stomach troubles, dyspepsia, toothache, all nervous and blood complaints, hoarseness, sore throat, nasal catarrh, trouble in breathing, neuralgia, headache, consumptive cough, la grippe, and pneumonia; effective as a nerve and blood tonic; effective to cleanse and purify the blood and to restore the health; and effective to allay all nervous troubles, to keep the system in a healthful condition, to stimulate, strengthen, warm up, and impart new life and vigor to the system, and to cure disease.

On October 13, 1936, a plea of guilty was entered on behalf of the defendant corporation and the court imposed a fine of \$25.

W. R. GREGG, *Acting Secretary of Agriculture.*

26736. Misbranding of Erie Drug Co. Croup and Pneumonia Salve, Palmer's Compound Carbolic Salve, Sterling Vapor and Rubbing Salve, Sterling Aromatic Spt. Ammonia, Quinlax Laxative Quinine Tablets, Dr. Doll's Root and Herb Tea, Solvuric Buchu and Juniper Comp. Pills, Sterling Comp. Extract Smartweed, Burn Ease for Sunburn, and White Pine Cough Syrup; adulteration and misbranding of Sterling Antiseptic Solution and Erie Drug Co. Vanillo. U. S. v. Erie Drug Co. Plea of guilty. Fine, \$50 and costs. (F. & D. no. 37028. Sample nos. 44314-B, 44315-B, 44319-B, 51810-B, 51817-B, 51818-B, 51821-B to 51824-B, incl., 51826-B, 51827-B.)

The labels of each of the above-named articles contained false and fraudulent representations regarding its curative or therapeutic effects. The package of Palmer's Compound Carbolic Salve also bore a false and misleading representation with respect to its antiseptic property. The designation of the Solvuric Buchu and Juniper Comp. Pills as such, on the label, was a false and misleading representation of the composition of the article. The label of the Sterling Antiseptic Solution bore a false and misleading representation that it was antiseptic and a germ killer. The label of the Erie Drug Co. Vanillo bore a false and misleading representation that it was a vanilla product and an extract of vanilla, and the package failed to bear a statement of the quantity of the contents.

On September 9, 1936, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Erie Drug Co., a corporation, Erie, Pa., charging shipment by it in violation of the Food and Drugs Act, on or about June 22, August 3, September 6 and 24, 1935, from the State of Pennsylvania into the State of New York, of quantities of the articles named above. The information alleged that each of said articles was misbranded, and that each of the last two mentioned also was adulterated.

Analysis of the Erie Drug Co. Croup and Pneumonia Salve showed that it consisted essentially of volatile oils (approximately 10 percent) including methyl salicylate, camphor, and menthol, incorporated in a petrolatum base. Said article was alleged to be misbranded in that statements regarding its curative or therapeutic effects, appearing on the label, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for croup, pneumonia, bronchitis, cold in the chest, congestion, lumbago, pleurisy, rheumatism, stiff neck, and sore throat.

Analysis of Palmer's Compound Carbolic Salve showed that it consisted essentially of phenol (0.7 percent), volatile oils including menthol, and a small proportion of zinc oxide, in a lanolin base. The article was alleged to be misbranded in that statements regarding its curative or therapeutic effects borne on the label, falsely and fraudulently represented that it was effective to heal wounds, sores, piles, ulcers, eczema, and all skin diseases. Said article was alleged to be misbranded further in that the statement "Antiseptic Oint-

ment", borne on the label, representing that it was an antiseptic when used as directed, was false and misleading since the article was not an antiseptic when used as directed.

Analysis of the Sterling Vapor and Rubbing Salve showed that it consisted essentially of volatile oils (approximately 6 percent) including menthol, thymol, and eucalyptol, incorporated in a petrolatum base. The article was alleged to be misbranded in that statements regarding its curative or therapeutic effects, borne on the label, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for catarrh, congestion, pneumonia, sore throat, whooping cough, piles (itching), and rheumatic pains; effective as an auxiliary treatment for certain forms of inflammation and congestion; effective as an aid in the treatment of croup and inflammatory conditions of the air passages; and effective to increase the circulation of the blood throughout the affected areas and to help allay the inflammation and reduce the fever.

The Sterling Aromatic Spt. Ammonia was alleged to be misbranded in that statements regarding its curative or therapeutic effect, borne on the label, falsely and fraudulently represented that its was effective as a treatment for hysteria and nervous debility.

Analysis of a sample of Quinlax Laxative Quinine Tablets showed that they contained per tablet: Acetanilid (0.97 grain), caffeine (0.27 grain), quinine (0.494), bile salts, and an unidentified laxative drug. The article was alleged to be misbranded in that statements regarding its curative or therapeutic effects, borne on the label, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for grippe, la grippe, coughs, acute catarrh, and bronchitis; and effective to relieve the feverish conditions usually associated with colds.

Analysis of a sample of Dr. Doll's Root and Herb Tea showed that it consisted of plant material including senna leaves, dandelion root, uva ursi leaves, frangula bark, licorice root, and coriander seed. The article was alleged to be misbranded in that statements regarding its curative or therapeutic effects, borne on the label, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for blood, liver, and kidney diseases, chronic kidney diseases or bladder affections, diabetes, Bright's disease, frequent urination, suppressed menstruation, or any kidney or bladder trouble; effective as a sure remedy for blood ailments, kidney complaints, liver disease, piles, gravel, dyspepsia, debility, sick headache, nervous headache, rheumatism, neuralgia, female complaints, chills and fever, scrofula, erysipelas, and palpitation of the heart; effective to produce a good complexion and to restore to the skin youthful freshness and brilliancy and the hue of health; and effective to purify the blood.

Analysis of the Solvuric Buchu and Juniper Comp. Pills showed that they consisted of extracts of plant drugs, including juniper and buchu, and potassium vitrate. The article was alleged to be misbranded in that statements regarding its curative or therapeutic effects, borne on the label, falsely and fraudulently represented that it was effective as a treatment for all diseases arising from kidney and bladder disorders, weak back, inflammation of the bladder, and scalding or scanty urine. Said article was alleged to be misbranded further in that the statement "Buchu and Juniper Comp. Pills", borne on the label, representing that it was a compound of buchu and juniper, was false and misleading since it contained potassium vitrate.

Analysis of the Sterling Comp. Extract Smartweed showed that it consisted essentially of extracts of plant drugs, volatile oils, including sassafras oil and mustard oil, alcohol (62.5 by volume), and water. The article was alleged to be misbranded in that statements regarding its curative or therapeutic effects, borne on the label, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for chills, sore throat, cramps, colic, rheumatism, backache, rheumatic pains, and toothache; and effective to break up severe colds.

Analysis of Burn Ease for Sunburn showed that it consisted essentially of volatile oils including menthol, eucalyptol, camphor, and clove oil, incorporated in a base of stearic acid and water. The article was alleged to be misbranded in that statements regarding its curative or therapeutic effects, borne on the label, falsely and fraudulently represented that it was effective as a healing emollient for nasal catarrh, wounds, piles, ulcers, eczema, psoriasis, and skin diseases.

Analysis of the Sterling Syrup White Pine & Tar showed that it consisted essentially of extracts of plant drugs, menthol, pine tar, chloroform, alcohol, sugar, and water. The article was alleged to be misbranded in that statements regarding its curative or therapeutic effects, borne on the label, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for coughs, bronchial catarrh, spasmodic croup, winter cough, and all diseases of the air passages.

Analysis of the Sterling Antiseptic Solution showed that it consisted essentially of boric acid, volatile oils including menthol, eucalyptol, and thymol, alcohol (27.8 percent by volume), and water. The article was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, since it was represented to be an antiseptic solution and to be a germicide; whereas it was not an antiseptic solution and was not a germicide. Said article was alleged to be misbranded in that the statements, "Antiseptic Solution" and "Germ Killer", borne on the label, representing that it was antiseptic and that it was a germ killer, were false and misleading.

Analysis of the Vanillo, a dark brown liquid, showed that it contained vanillin and coumarin and small amounts of alcohol and glycerin, colored with caramel. The article was alleged to be adulterated (1) in that an imitation vanilla flavor artificially colored had been substituted for extract of vanilla beans, which the article purported to be; and (2) in that it was an imitation of vanilla flavor artificially colored with caramel so as to simulate the appearance of extract of vanilla beans, and in a manner whereby inferiority of the article to extract of vanilla beans was concealed. Said article was alleged to be misbranded in that the statement "Vanilla * * * Extract of Vanilla Beans", borne on the label, representing that it was a vanilla product and was an extract of vanilla beans, was false and misleading. The article was alleged to be misbranded further in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 24, 1936, a plea of guilty was entered on behalf of the defendant corporation and the court imposed a fine of \$50 and costs.

W. R. GREGG, *Acting Secretary of Agriculture.*

26737. Misbranding of cod liver oil. U. S. v. Samuel S. Kovacs and Joseph Weishaus (Royal Manufacturing Company of Duquesne.) Pleas of guilty. Fine, \$50. (F. & D. no. 37030. Sample no. 33037-B.)

This case involved interstate shipments of an article labeled "Double 'D' Double Vitamin Strength Norwegian Cod Liver Oil." The label and package bore and contained false and misleading representations regarding the vitamin content and potency of the article, and false and fraudulent representations regarding its curative and therapeutic effects.

On September 24, 1936, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Samuel S. Kovacs and Joseph Weishaus, trading as the Royal Manufacturing Company of Duquesne, Chicago, Ill., charging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about December 1, 1934, and April 9, 1935, from the State of Illinois into the State of Missouri of a quantity of an article, labeled "Double 'D' Double Vitamin Strength Norwegian Cod Liver Oil", which was misbranded.

Analysis of a sample of the article showed that it complied with the requirements prescribed for cod-liver oil in the United States Pharmacopoeia, for free acid, unsaponifiable matter, saponification value, and iodine value, but that it did not contain double the amount of vitamins D and A contained in the best grade of cod-liver oil U. S. P.

The article was alleged to be misbranded in that statements borne on the bottle labels, on the cartons enclosing the bottles, and in an accompanying circular, representing that it was double D vitamin strength, that it was double strength, that it supplied at least twice the amount of vitamins A and D contained in the best grade of U. S. P. cod-liver oil, that the vitamin potency of the article was guaranteed to be not less than 125,000 units of vitamin A and 75,000 units of vitamin D per 100 grams, that the article was the finest grade Norwegian cod-liver oil, in which the vitamin D content had been doubled, that it would go twice as far as even the best and highest grade cod-liver oil,