its effectiveness in the treatment of congested and inflamed conditions, sore throat, catarrh, tonsillitis, bronchitis, burns, boils, neuralgia pains, rheumatic pains, eczema, coughs, and its effectiveness to relieve irritated conditions through inhalation of its vapors; (Linimentine) its effectiveness as a penetrating liniment and its capability of causing great relief from pain in man or beast; its effectiveness as an excellent remedy for relieving inflammation and congestion; and its effectiveness in the treatment of rheumatism, lameness, neuralgia, neuritis, and colic; (Bick's Mentholated Camphor Cream) its effectiveness as a remedy for catarrh, headache, sore nose and lips, and catarrh of nose and sore throat; (Blue Ribbon Household Liniment) its effectiveness as a remedy for cramps, founder, poll evil, spavin, "gitfast" (meaning thereby sitfast), ring bone, indolent tumors, horse distemper, kindred affections of horses and cattle, muscular rheumatism, muscular soreness, aching muscles, acute swelling, lameness, muscular cramps, gout, lumbago, sciatica, stiff neck, neuralgia, neuralgia headaches, toothache, acute pleurisy, bronchial cough, la grippe, cold feet, wind colic, corns, and bunions; and (Bixlax Laxative Tablets) its effectiveness as a tonic on the stomach, liver, kidneys, and bowels, as a remedy for dyspepsia, indigestion, constipation, biliousness, liver troubles, rheumatism, sick headache, sour stomach, blood and skin diseases, and other ailments caused by the evils of constipation, and as an appetizer and tonic generally.

The Bixlax Laxative Tablets were alleged to be misbranded further in that the statement "Bixlax contains 12 harmless ingredients," borne on the label, and the statement "We absolutely guarantee Carnation Products to be pure and not adulterated or misbranded within the meaning of the Food and Drugs Act, June 30, 1906, as amended," borne in a leaflet enclosed with the article, were false and misleading, since the ingredients and substances of the article were not harmless generally and since the article was misbranded within the meaning of the aforesaid act.

On May 24, 1938, pleas of guilty having been entered by the defendants, the corporation was sentenced to pay a fine of $300 and costs, and the individual was sentenced to pay a fine of $100.

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

29042. Misbranding of Dr. Lemke's Laxative Herb Tea, Anti-Bilious Blood and Catarrh Powder, and Golden Electric Liniment. U. S. v. Clarence R. Lemke (Dr. H. C. Lemke Medicine Co.). Plea of nolo contendere. Fine, $50. (F. & D. No. 39831. Sample Nos. 33660–C, 33661–C, 33662–C.)

The labeling of all these products bore false and fraudulent curative and therapeutic claims, and the Golden Electric Liniment also contained less alcohol than declared.

On February 23, 1938, 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 Clarence R. Lemke, a member of a firm trading as the Dr. H. C. Lemke Medicine Co., at Chicago, Ill.; alleging shipment by said defendant in violation of the Food and Drugs Act as amended, within the period from on or about December 21, 1936, to on or about March 11, 1937, from the State of Illinois into the State of Indiana of quantities of the above-named drug products which were misbranded. The articles were labeled in part: "Dr. H. C. Lemke Medicine Co. * * * Chicago, Ill."

Analyses of samples of the articles showed that Dr. Lemke's Herb Tea consisted essentially of plant material including flaxseed, sambucus, althea, fennel seed, coriander seed, sassafras, licorice, lavender flowers, saffron, uva ursi, senna, cascara sagrada, peppermint stems, and horehound; that the Anti-Bilious Blood and Catarrh Powder consisted essentially of ground plant material (including an emodin-bearing drug and an unidentified alkaloid), free sulphur, sugar, and iron and calcium compounds; and that the Golden Electric Liniment consisted essentially of small proportions of ammonia, volatile oils including camphor, oil of cloves, and oil of sassafras, chloroform, ether, alcohol (64.2 percent by volume), and water.

The Laxative Herb Tea was alleged to be misbranded in that its labeling falsely and fraudulently represented its curative and therapeutic effectiveness as a treatment, remedy, and cure for sour stomach and dizziness; its effectiveness to cleanse the intestinal tract, as a treatment for disordered complexion; its effectiveness to aid in restoring to and retaining in the skin a ruddy glow so needful to a good complexion; its effectiveness as a treatment for disturbed functions of the liver, stomach and intestinal tract, digestive disturbances,

faulty digestion, excessive gastric acidity, acid and upset stomach, stomach pains, sluggishness of the liver, liver disorders, and attacks of vertigo; its effectiveness to excite the stomach and liver to greater activity, to cause the bowel movement to become more regular and more efficient, and to improve the appetite and digestion; its effectiveness to free the blood of all impurities and to ensure rosy, youthful freshness to the skin; its effectiveness as a household remedy for relieving the excretory organs; to promote the activity of the liver and stomach; to assist nature in removing impurities from the blood, and to recover and maintain a clearer skin; its effectiveness to relieve a great many aches and pains; its effectiveness to aid the action of the liver and kidneys, and as a treatment, remedy, and cure for indigestion, gases in the stomach, jaundice, sour stomach, coated tongue, foul breath, belching up of gas, headaches, boils, pimples, dry sallow skin, certain eruptions of the skin on face or body which may be caused from an inactive liver or kidneys, acute infectious diseases, general debility, blotches, rashes, digestive disorders, excessive acidity of the stomach, bad breath, eructations, attacks of vertigo, abscesses, dry brittle skin, certain cutaneous eruptions, general organic debility, skin impurities, and ailments of the liver, kidneys and intestines; and its effectiveness to stimulate the functioning of the liver and kidneys.

The Anti-Bilious Blood and Catarrh Powder was alleged to be misbranded in that statements in the labeling falsely and fraudulently represented its therapeutic and curative effectiveness as a treatment for blood ailments and catarrh; its effectiveness as a treatment for sour and sick stomach, dizziness, dyspepsia, ailments of the liver, kidneys and bowels, impure blood, asthma, catarrh in the head, chest, stomach, and bowels, pimples, boils, eruptions of the skin, jaundice, headaches, fevers and feverish complaints; its effectiveness to purify the blood and system in general of impurities and accumulations; its effectiveness to relieve a great many aches and pains; its effectiveness to counteract catarrh, and as a treatment for irritation of the mucous membrane of the bowels and urinary passages; its effectiveness to regulate the bowels, and as a treatment for indigestion, foul breath, coated tongue, blotches, rash, sallow skin and complications of the liver and kidneys; its effectiveness to eliminate waste matter from the bowels and to alleviate stomach disorders; its effectiveness as a remedy for stomach disorders, catarrh, catarrh of the chest, asthma and irritations of the mucous membranes of the intestines and urinary passages; its effectiveness to regulate intestinal activity, and as a treatment for fever and feverish attacks, especially in children, digestive and gastric disorders; its effectiveness as a preventive of headaches, excessive acidity of the stomach, dyspepsia, attacks of vertigo, bad breath, coated tongue, pimples, abscesses, skin impurities, eruptions, sallow skin, and insufficiently functioning liver or kidneys; its effectiveness to expel waste matters from the intestines and to cause the stomach to function properly; its effectiveness as a treatment for blood disorders and serious disorders of the liver and kidneys; and its effectiveness to regulate the digestion and to prevent many diseases and much pain and suffering.

The Golden Electric Liniment was alleged to be misbranded in that statements in the labeling falsely and fraudulently represented its curative and therapeutic effectiveness as a relief for pain caused by muscular rheumatism, neuralgia, headache, earache, backache, toothache, stiff neck, sore, stiff, swollen muscles or joints, aching joints, cuts, pleurisy, bronchitis, frozen limbs, minor forms of colic and cramps, and many other ailments; its effectiveness as a treatment for burns, open sores, earache and sore throat; its effectiveness to alleviate rheumatic pains, neuralgia, headache, sore, stiff, swollen joints and muscles, backache, wounds, snake bites and all forms of colic and cramps; its effectiveness as a treatment, remedy, and cure for rheumatic pains, neuralgia, headache, backache, sore, stiff, swollen muscles or joints, frozen hands, snake bites, burns, open wounds, toothache, earache, stomach ache caused by colic or cramp, open sores, diarrhea and dysentery; its effectiveness as a relief for a great many aches and pains; its effectiveness as a treatment for colic in horses, cattle, and swine, and bellyache in horses, cows, and pigs; and its effectiveness as a relief for pain caused by colic and cramps, barbwire cuts and swellings in horses and cattle. The Golden Electric Liniment was alleged to be misbranded further in that the statement "alcohol 71%" on the label was false and misleading since it represented that the article contained 71 percent of alcohol; whereas it did not contain 71 percent of alcohol but contained a less amount. It was alleged to be misbranded further in that

it contained alcohol and its label failed to bear a statement of the quantity and proportion of the alcohol contained therein.

On June 8, 1938, a plea of nolo contendere having been entered by the defendant, the court imposed a fine of $50.

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

29043. Adulteration and misbranding of rubber prophylactics. U. S. v. 24 Gross of Texide. Default decree of condemnation and destruction. (F. & D. No. 42335. Sample No. 24626–D.)

Examination of samples of this product showed that some of them were defective in that they contained holes.

On May 9, 1938, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 gross of rubber prophylactics at St. Louis, Mo.; alleging that the article had been shipped in interstate commerce on or about January 10, 1938, from Chicago, Ill., by the Latex Distributing Co.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Texide * * * L. E. Shunk Latex Products, Inc., Akron, Ohio."

It was alleged to be adulterated in that its strength fell below the professed standard or quality under which it was sold.

Misbranding was alleged in that the following statements on the labeling were false and misleading: "Prophylactics * * * guaranteed five years * * * against deterioration under normal conditions * * * for the prevention of disease."

On June 25, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29044. Misbranding of Bismolake; adulteration and misbranding of phenobarbital tablets, Amidobar Compound Tablets, sodium fluoride tablets, ephedrine sulphate capsules, and phenobarbital sodium ampuls. U. S. v. The Lakeside Laboratories, Inc. Plea of nolo contendere. Fine, $100. (F. & D. No. 38060. Sample Nos. 34266–B, 58002–B, 58003–B, 58005–B, 58047–B, 58073–B, 58075–B, 14313–C.)

The Bismolake contained metallic bismuth in excess of the amount declared and the remaining products, with the exception of one lot of phenobarbital sodium ampuls, contained smaller amounts of certain drugs than declared. One lot of phenobarbital sodium was represented to be sterile and free from foreign matter, whereas it was not.

On June 21, 1937, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Lakeside Laboratories, Inc., Milwaukee, Wis., alleging shipment by said defendant in violation of the Food and Drugs Act within the period from on or about December 13, 1935, to on or about September 14, 1936, from the State of Wisconsin into the State of Illinois, of quantities of the above-named pharmaceuticals of which the Bismolake was misbranded and the remaining products were adulterated and misbranded. The articles were labeled in part: "The Lakeside Laboratories, Inc., Milwaukee, Wis."

The Bismolake was alleged to be misbranded in that the statement in the labeling, "Each c.c. contains the equivalent of 45 mgms. metallic Bismuth," was false and misleading, since it represented that the article contained in each cubic centimeter not more than 45 milligrams of metallic bismuth; whereas it contained not less than 57.6 milligrams of metallic bismuth in each cubic centimeter.

The phenobarbital was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, since each tablet was represented to contain 1½ grains of phenobarbital; whereas each tablet contained not more than 1.29 grains of phenobarbital. The article was alleged to be misbranded in that the statement on the label, "Phenobarbital * * * C. T. * * * 1½ grs.," was false and misleading.

The Amidobar Compound was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, since each tablet was represented to contain 1 grain of barbital; whereas each tablet contained not more than 0.68 grain of barbital. The article was alleged to be misbranded in that the statement on the label, "Barbital 1 Gr.," was false and misleading.