

quantity of Foltis Juice-O-Veg that was misbranded under section 8 of the Food and Drugs Act, in the case of drugs.

Analysis showed that the article consisted of plant juices (95 percent of which was water), containing inconsequential proportions of salts of iron, calcium, manganese, magnesium, potassium and sodium, phosphates, and silicates.

The article was alleged to be misbranded in that certain statements in a circular enclosed in the package containing it, regarding its curative and therapeutic effects, were false and fraudulent, since the product was falsely and fraudulently recommended as a protector of life; to raise resistance to infection, to help the eyes, nourish the nerves, tone the digestive system; to prevent tooth decay, aching joints, and anemia; to strengthen gums, to strengthen the heart, to neutralize acid, to heal wounds, to make strong bones, teeth, red blood, and the body flexible; to flush the cells, relax and reduce nerve tension, carry oxygen, harden the tooth enamel, to aid hair growth and whiten the eyes; to aid in bone-knitting and to give the necessary protectors of life; to be effective as a stimulating drink; to cause sparkling eyes and cheerful faces, radiance of youthful vigor, and the rapture of youthfulness and life; to be effective as a blood cleanser, as a cure for facial blemishes, as a reducing agent and to give more pep; to be effective as a treatment for those who are only half alive and saturated with acids; to be effective as a treatment for blemished complexions, dull eyes, jaded appetites, weakened nerves, and drawn and haggard faces; and to neutralize acid, to strengthen nerves, to restore appetite, to regain youth, and to defer old age.

On July 18, 1939, a plea of guilty was entered and the court assessed a fine of \$100.

GROVER B. HILL, *Acting Secretary of Agriculture.*

**30972. Misbranding of Musclex Rubbing Lotion. U. S. v. 141 Bottles of Musclex Rubbing Lotion. Default decree of condemnation and destruction. (F. & D. No. 44677. Sample No. 41996-D.)**

The labeling of this product bore false and fraudulent curative and therapeutic claims and it also failed to bear a correct statement of the quantity or proportion of alcohol contained in the article.

On January 13, 1939, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 141 bottles of Musclex Rubbing Lotion at Philadelphia, Pa.; alleging that the article had been shipped in interstate commerce on or about October 21, 1938, by Beacon Laboratories, Inc., from Dover, Del.; and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Bottle) "15% Alcohol."

Analysis showed that it consisted essentially of alcohol (10.3 percent by volume), oil of turpentine, camphor, a resin such as capsicum resin, a gum, and water.

The article was alleged to be misbranded in that its package label failed to bear a statement of the quantity or proportion of alcohol contained in it since the statement of alcohol made was incorrect. It was alleged to be misbranded further in that the following statements appearing on the bottle label and in a circular shipped with it, regarding its curative or therapeutic effects, were false and fraudulent: (Bottle) "For \* \* \* Relief of Myalgia, Lumbago, Rheumatic & Arthritis Manifestations. Remove Stiffness, Excellent Relief For \* \* \* Sore \* \* \* Aching Feet & After Fractures or Broken Bones"; (circular) "Muscular pains and aches, which are caused by any of the many following manifestations. Rheumatism: A constitutional disease marked by pains in joints or muscles, usually recurrent, and often due to exposure. Arthritis: Gout or any joint inflammation. Acute marked by pain, heat, redness, and swelling. Neuritis: Inflammation of a nerve. Myalgia: \* \* \* Muscular pain. Lumbago: \* \* \* Neuralgia of the loins. Myositis: Inflammation of a muscle. Neuralgia: Pain in nerves. \* \* \* For \* \* \* Relief of Myalgia, Lumbago, Rheumatic & Arthritis Manifestations. Remove Stiffness, Excellent Relief for \* \* \* Sore, \* \* \* Aching Feet & After Fractures or Broken Bones \* \* \* For every ailment, there is a cause, every cause has its effect. For every cause and effect there is a remedy! Musclex Offers almost immediate relief in cases of Rheumatism, Arthritis, Neuritis, Myalgia, Lumbago, Neuralgia, \* \* \* and Myositis manifestations. \* \* \* Its penetrating power is remarkable. It relieves almost instantaneously because of

its Medicinal ingredients, it breaks up inflammation, causes renewal of a new blood supply, and therefore scatters pain and drives it completely from the system Nature's way. \* \* \* for any cutaneous surface pains of Throat, Chest or Back. In chronic cases \* \* \*."

On October 17, 1939, the claimant having withdrawn its claim and answer, judgment of condemnation was entered and the product was ordered destroyed.

GROVER B. HILL, *Acting Secretary of Agriculture.*

**80973. Misbranding of Purina Nik-Tonik. U. S. v. 35 Packages of Nik-Tonik. Default decree of condemnation and destruction. (F. & D. No. 45416. Sample No. 63299-D.)**

The labeling on this veterinary product bore false and fraudulent curative or therapeutic claims.

On June 1, 1939, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 35 packages of Nik-Tonik at East St. Louis, Ill.; alleging that the article had been shipped in interstate commerce on or about December 6, 1938, by the Ralston Purina Co. from St. Louis, Mo.; and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of plant material, including tobacco and nux vomica, compounds of calcium, sodium, zinc, iron, and magnesium, phenolsulfonates, sulfates, and small proportions of a copper compound and sand, flavored with anise.

The article was alleged to be misbranded in that the following statements appearing in the labeling were statements regarding its curative or therapeutic effect and were false and fraudulent: "Nik-Tonik A Tonic And Roundworm Treatment for Chickens and Turkeys \* \* \* How To Use Purina Nik-Tonik For Its Conditioning and Tonic Effect on Chickens and Turkeys \* \* \* For birds that are out of condition, off feed, or generally sluggish, mix 2 lbs. of Purina Nik-Tonik with each 70 lbs. of all-mash feed. \* \* \* After 3 weeks of age, if a tonic for young chicks or poults is needed, mix 2 lbs. of Nik-Tonik with 70 lbs. of starting mash. Keep this mixture before the birds as long as the condition indicates it is necessary. How to Use Purina Nik-Tonik As A Flock treatment For Large Roundworms (Ascarids) In Chickens and Turkeys Young birds frequently become infested with Large roundworms (ascarids), which rob them of food, lower their vitality, and retard proper development. Control by flock treatment with Purina Nik-Tonik at monthly intervals through the early growing period reduces the number of these worms and improves the condition of birds."

On July 13, 1939, claimants having withdrawn their appearances and answers, judgment of condemnation was entered and the product was ordered destroyed.

GROVER B. HILL, *Acting Secretary of Agriculture.*

**80974. Misbranding of Twin-Tips. U. S. v. 416 Boxes and 768 Boxes of Applicators of Twin-Tips. Default decree of condemnation and destruction. (F. & D. Nos. 44494, 44495. Sample Nos. 44582-D, 44583-D.)**

This product had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination it was found to be contaminated with viable micro-organisms. One lot was labeled to indicate that it contained an appreciable amount of boric acid; whereas it contained but a trace of boric acid.

On December 9, 1938, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 416 and 768 boxes of Twin-Tips at Newark, N. J. (libel against 768 boxes amended July 5, 1939); alleging that the article had been shipped in interstate commerce on or about March 21 and September 7, 1938, by Williams Co. from New York, N. Y.; and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that its purity fell below the following professed standard or quality under which it was sold, (first shipment, carton) "Sanitary," "Borated"; (leaflet) "Twin-Tips are manufactured from highest grade sterilized cotton under a process that assures you the most sanitary swab obtainable" and "Twin-Tips are \* \* \* borated"; (second shipment, carton) "There are many uses for Twin-Tips; for the baby, sick room, medicine chest \* \* \* applying medication to \* \* \* cuts