

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On October 17, 1939, the claimant having withdrawn its claim and answer, judgment of condemnation was entered and the product was ordered destroyed.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