169. Adulteration and misbranding of Mercurochrome 2% Solution. U. S. v. 145 7/12 Dozen Bottles of Mercurochrome. Default decree of condemnation and destruction. (F. D. C. No. 1916. Sample No. 1269–E.)

This product contained a smaller percentage of mercurochrome than that declared on its label.

On May 3, 1940, the United States attorney for the District of Maryland filed a libel against 145 7/12 dozen bottles of mercurochrome at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about October 24, 1939, by the Regent Merchandise Corporation from Chicago, Ill.; and charging that it was adulterated and misbranded. It was labeled in part: "Mercurochrome * * * 2% Solution * * * G. Barr & Company, Chicago."

The article was alleged to be adulterated in that its strength differed from and its quality fell below that which it purported or was represented to possess, namely, of "Mercurochrome Dibrom Oxymercuri Fluorescein 2% Solution"; whereas it contained less than 2 percent by weight of mercurochrome.

It was alleged to be misbranded in that the representation on the label that it consisted of "Mercurochrome Dibrom Oxymercuri Fluorescein 2% Solution," was false and misleading since it was not correct.

On May 25, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

170. Adulteration and misbranding of Anterior Pituitary Sex Hormone. U. S. v. 20 Vials of Anterior Pituitary Sex Hormone Solution. Default decree of condemnation and destruction. (F. D. C. No. 1471. Sample No. 70132–D.)

The potency of this product was found to be less than that declared in its labeling.

On February 8, 1940, the United States attorney for the Eastern District of Pennsylvania filed a libel against 20 vials of the above-named product at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about August 11, 1939, by the Difco Laboratories, Inc., from Detroit, Mich.; and charging that it was adulterated and misbranded.

Adulteration was alleged in that the strength of the article differed from that which it purported or was represented to possess in that it was represented to contain 100 rat units per cc.; whereas it did not contain 100 rat units per cc. but did contain a smaller amount.

It was alleged to be misbranded in that representations in the labeling that it consisted of anterior pituitary sex hormone solution 100 rat units per cc. was false and misleading since it contained less than 100 rat units per cc.

On March 26, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

171. Adulteration and misbranding of Slumber Ointment. U. S. v. 56 Packages of Slumber Ointment. Default decree of condemnation and destruction. (F. D. C. No. 1496. Sample No. 78759–D.)

This product contained mercuric nitrate in excess of the amount declared on the label and its labeling bore false and misleading representations regarding its efficacy in the conditions indicated below.

On February 20, 1940, the United States attorney for the Northern District of Ohio filed a libel against 56 packages of Slumber Ointment at Youngstown, Ohio, alleging that the article had been shipped in interstate commerce on or about December 14, 1939, by the Nolan Co. from Greenville, Pa.; and charging that it was adulterated and misbranded.

Analysis showed that the article contained mercuric nitrate (7.96 percent), calcium and magnesium compounds, turpentine, soap, and water, in a fatty acid base.

The article was alleged to be adulterated in that its strength differed from and its purity and quality fell below that which it purported to possess.

It was alleged to be misbranded in that the representation in the labeling that it contained 7 percent of mercuric nitrate was false and misleading since it did not contain 7 percent of mercuric nitrate, but did contain a greater amount. It was alleged to be misbranded further in that its labeling bore representations that it was efficacious in the treatment of eczema, salt rheum, poisons, or other skin diseases, acne, pimply face, grease or rubber poisoning, blackheads, boils, piles, ringworms, burns and sunburn, dandruff, scaly and itching scalp, varicose ulcer, warts, ingrown toenails, and itch; that it had worked wonders in killing spotty baldness, the hair growing again in a remarkably short time and that for this condition it should be applied once a