

Carbon, Charcoal, etc. 2.00% ; Potassium calculated as carbonate 14.76% ; Copper, Tin, Lead, Arsenic, Mercury, None," were false and misleading since they did not represent an analysis of the product itself. It was alleged to be misbranded further in that its label failed to bear its common or usual name.

On November 17, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

359. Misbranding of Ancestral Oil. U. S. v. 33 Packages of Ancestral Oil. Default decree of condemnation and destruction. (F. D. C. No. 2461. Sample No. 16067-E.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter. Its labeling also failed to bear an accurate statement of the quantity of the contents and the common or usual names of the active ingredients. The product was also deceptively packaged. It was packed in a thick-walled panel bottle with rather a long neck which was contained in a carton, creating the impression that a larger volume of the liquid was furnished than was actually the case.

On or about August 6, 1940, the United States attorney for the Western District of Missouri filed a libel against 33 packages of Ancestral Oil at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about April 26, 1940, by the Ancestral Medicine Co. from Osawatomie, Kans.; and charging that it was misbranded.

Analysis showed that the article consisted essentially of a fish oil and turpentine.

The article was alleged to be misbranded in that the labeling bore representations that it was efficacious in the treatment of piles, rheumatism, hay fever, lumbago, earache, coughs, asthma, kidney affections, croup, whooping cough, influenza, dysentery, and bloody diarrhea, phthisis, pneumonia, bronchitis and sore throat, for inflammation of the breasts, neuralgia, lumbago, soreness of corns and bunions, toothache, vaginal discharge or ulcers, diphtheria, lung troubles, burn or scald, cuts, bruises, or sprains, that it would not blister or irritate the tenderest skin; that it would penetrate, heal, and cure; that it was efficacious for the kidneys; would allay various forms of inflammation and pleurisy; would cut phlegm, prevent a scar; that it was the most beneficial remedy for all ailments the human family was heir to; that it was the best all-purpose remedy for garget or caked udder, inflammation of the udder, and that it was excellent for horses and would be efficacious in the treatment of all flesh wounds, which representations were false and misleading since the article would not be efficacious for such purposes. It was alleged to be misbranded further in that the label did not bear an accurate statement of the quantity of the contents and did not bear the common or usual name of the active ingredients. It was alleged to be misbranded further in that the containers were so made, formed, or filled as to be misleading.

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

360. Adulteration and misbranding of Edwenil. U. S. v. 15 Boxes, et al., of Edwenil. Default decree of condemnation and destruction. (F. D. C. No. 1843. Sample Nos. 10346-E to 10349-E, incl.)

This product would not activate or fortify the natural defenses of the body as represented and suggested in the labeling.

On April 24, 1940, the United States attorney for the Southern District of New York filed a libel against 15 boxes each containing 10 4-cc. vials of Edwinil; 35 boxes each containing 5 4-cc. vials of Edwenil; 10 boxes each containing 10 10-cc. vials of Edwenil; and 79 boxes each containing 1 10-cc. vial of Edwenil at New York, N. Y., alleging that the article had been shipped in interstate commerce within the period from on or about February 21 to on or about April 2, 1940, by Spicer & Co. from Glendale, Calif.; and charging that it was adulterated and misbranded.

Analysis showed that the article consisted of a colorless liquid carrying suspended amorphous white material containing total solids (approximately 1.0 percent) chiefly sodium chloride (approximately 0.8 percent) and suspended matter (0.1 percent), chiefly silicates and phosphates, and nitrogenous matter (approximately 0.03 percent), and water.

The article was alleged to be adulterated in that it was represented to possess a strength and quality sufficient to activate and fortify the natural defenses of the body against acute and chronic endotoxic infections when administered in specified doses; whereas it did not possess the strength or quality to activate

and fortify the natural defenses of the body against acute and chronic endotoxic infections when so administered.

It was alleged to be misbranded in that representations in the labeling that it would be efficacious in the treatment of infections of the endotoxic type by activating the natural defenses were false and misleading since it would not be efficacious for such purposes. It was alleged to be misbranded further in that it was offered for sale under the name of another drug, namely, under the name previously given to an article containing substantially different ingredients and intended for use in the cure, mitigation, treatment, or prevention of disease in man.

The article, with the exception of that contained in 8 boxes each containing 10 10-cc. vials, was alleged to be misbranded further in that the label failed to bear the common or usual name of each active ingredient.

On October 7, 1940, the case having been called and the claimant having failed to appear or answer, judgment of condemnation was entered and the product was ordered destroyed.

361. Misbranding of World's Tonic Compound with Alkalines. U. S. v. 64 Packages of World's Tonic Compound with Alkalines. Default decree of condemnation and destruction. (F. D. C. No. 2672. Sample No. 27270-E.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter, and it also failed to bear an accurate statement of the quantity or proportion of strychnine present.

On August 28, 1940, the United States attorney for the Northern District of West Virginia filed a libel against 64 packages of the above-named product at Parkersburg, W. Va., alleging that the article had been shipped in interstate commerce on or about July 6, 1940, by the World's Medicine Co. from Columbus, Ohio; and charging that it was misbranded.

Analysis showed that the article consisted essentially of extracts of plant drugs including sassafras, licorice, and laxative plant drugs such as aloe and emodin-bearing drugs, together with alcohol (12 percent), a small quantity of iron, strychnine (not over 0.004 grain per fluid ounce, equivalent to 0.36 grain of nux vomica), and a very small proportion of alkaline substances.

It was alleged to be misbranded in that the following and similar statements appearing in the labeling were false and misleading since it was essentially a laxative and could not serve as a tonic or as a source of alkalies: (Carton, bottle, and circular) "World's Tonic Compound With Alkalines"; (circular) "Contains a combination of especially selected herbs, barks and roots, vegetable in origin and recognized for their merit. All Roots, Barks, Herbs, etc., used in World's Tonic and imported from Foreign Countries are Examined by the United States Department of Agriculture. * * * The number of bottles of World's Tonic Compound with alkalines one should take to bring about the best results varies according to the condition of the person." It was alleged to be misbranded further in that the label did not bear a statement of the quantity or proportion of strychnine since the statements "Nux Vomica 3 grains to each fluid ounce, containing 1.15% of a grain of strychnine to each grain of nux vomica," borne on the label, was incorrect.

On January 7, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

362. Misbranding of hair tonic. U. S. v. 72 Pint Bottles of Red Fox Quinine Hair Tonic. Default decree of condemnation and destruction. (F. D. C. No. 3621. Sample No. 20735-E.)

The labels of this product failed to bear a statement of the active ingredients and an accurate statement of the quantity of the contents, and some failed to bear a statement of the quantity or proportion of alcohol. Moreover, it would not be efficacious as a hair tonic as represented on the labels, nor would it be efficacious for the relief of dandruff as represented on some of the labels.

On January 2, 1941, the United States attorney for the Southern District of Florida filed a libel against 72 pint bottles of Red Fox Quinine Hair Tonic at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce from Brooklyn, N. Y., by the Healox Co., Inc., on or about November 12, 1940; and charging that it was misbranded.

Analysis showed that it consisted essentially of alcohol, water, and small amounts of brucine and perfume material. It contained no quinine.

The article was alleged to be misbranded in that the statements "Quinine Hair Tonic" on all the labels, and "Relieves Dandruff," appearing on some of the