500. Misbranding of Dr. Carey's Marsh Root Prescription 777 Tablets (and Laxative Pills). U. S. v. 105 Packages of Dr. Carey's Marsh Root Prescription 777 Tablets. Default decree of condemnation and destruction. (F. D. C. No. 3134. Sample No. 1391–E.)

On or about October 7, 1940, the United States attorney for the Western District of Virginia filed a libel against 105 packages of the above-named products at Roanoke, Va., which had been consigned by the Earle Soap Manufacturing Co., alleging that the article had been shipped from Baltimore, Md., on or about September 13, 1940; and charging that it was misbranded. Accompanying each bottle of this product was an envelope that contained 4 pills labeled "Dr. Carey's Marsh Root Laxative Pills."

Analyses of samples showed that the Prescription 777 Tablets consisted essentially of plant drugs including a laxative drug and an alkaloid-bearing drug, methyl salicylate, sodium salicylate, potassium nitrate, sugar, starch, and talc; and that the Laxative Pills consisted essentially of plant material, including a laxative drug.

The packages of Marsh Root Prescription 777 Tablets were alleged to be misbranded in that the names "Dr. Carey's Marsh Root Prescription 777 Tablets" and "Dr. Carey's Marsh Root Laxative Pills" were false and misleading since the tablets and the pills both contained therapeutically active ingredients other than marsh root. They were alleged to be misbranded further in that statements appearing upon and within the package representing that Prescription 777 Tablets would be efficacious as a diuretic, as a stimulant of the kidneys and urinary system, and as a cure, preventive, or mitigation of kidney diseases; and that the Laxative Pills would be efficacious as a tonic, that they were "gentle as Nature," that they were not habit-forming, that they were of value for sufferers of kidney or bladder troubles, and that it is necessary for an individual to have laxation before any medication is effective, were false and misleading since the tablets and the pills would not be efficacious for such purposes.

On January 14, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

501. Misbranding of Myasthene Tablets. U. S. v. 183 Bottles of Myasthene Tablets (and 1 other seizure action against Myasthene Tablets). Default decrees of condemnation and destruction. (F. D. C. Nos. 2483, 2643. Sample Nos. 1676–E, 1677–E, 1678–E, 28932–E.)

On August 2 and 21, 1940, the United States attorney for the District of Columbia filed libels against 326 bottles of Myasthene Tablets at Washington, D. C., alleging that 183 of said bottles had been shipped in interstate commerce on or about March 30, 1940, by the Medicinal Specialties Co. from New York, N. Y., and that 143 were being offered for sale in the District of Columbia at various branches of the Whelan Drug Co., Inc.; and charging that the article was misbranded.

Analysis showed that it contained 7.5 grains of aminoacetic acid (glycocoll) per tablet.

It was alleged to be misbranded in that representations in the labeling that it would increase the chemical source of muscular energy, would increase muscle phosphocreatine in the system when a deficiency existed, would provide energy for muscle action, would relieve tiredness or fatigue, would be efficacious in the treatment of muscular ailments, including mild muscular debility; and in that representations in the labeling of a portion of the article that it would check tiredness, pep up muscles, and give the user an amazing feeling of strength, that it would relieve weakness, exhaustion, run-down conditions, and lack of pep and appetite, that it would produce amazing results in conditions of overwork and of protein deficiency, would increase the chemical source of energy for muscular action right in the muscles themselves, that it would combat certain poisonous substances which ordinarily may be harmful, and would give the user vim, vigor, pep, and energy, were false and misleading, since it would not be efficacious for such purposes.

On March 14, 1941, the claim and answer of the Medicinal Specialties Co. having been withdrawn, judgments of condemnation were entered and the product was ordered delivered to the Food and Drug Administration for technical uses.

502. Misbranding of Regol. U. S. v. 8 Bottles, 20 Bottles, and 35 Bottles of Regol. Consent decree of condemnation and destruction. (F. D. C. No. 3605. Sample No. 31529–E.)

On December 30, 1940, the United States attorney for the Eastern District of Michigan filed a libel against 63 bottles of Regol at Detroit, Mich., alleging that