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

the article had been shipped by the Cleveland Von Co. from Cleveland, Ohio, on or about November 26, 1940; and charging that it was misbranded.

Analysis showed that the article consisted of a preparation of bile and extracts of plant drugs dissolved in alcohol (26 percent), and water.

The article was alleged to be misbranded: (1) In that statements in circulars entitled "Regol A Liver Medicine," representing that it was a rational and effective remedy for diseases of the liver, digestive disorders, fermentation and gas in the intestines, intestinal indigestion, sick headache, chronic constipation, chronic inflammation in the walls of the colon, commonly called colitis, catarrhal irritation of the intestines, disturbance of the bile secreting function of the liver, disease of the gall bladder and gall ducts, gall-bladder congestion, discomfort from the gall bladder, faulty flow of bile, belching, sour eructations, sensation of weight or oppression in the upper abdomen, symptoms of chronic dyspepsia, biliousness, yellow, sallow, blotched and itchy skin, gas in the intestines crowding the heart causing palpitation and unpleasant sensations around the heart, yellow jaundice; catarrhal irritation, congestion and underfunctioning of the liver, gall bladder, and gall ducts; that it would effect improvement in the biliary functions of the liver and gall bladder and in the drainage of bile from these organs and the entire gall tract; would improve the functions of the drainage of bile from weakened, sluggish organs; would improve the distress due to catarrhal irritation and functional impairment; would relieve and prevent misery caused by functional disorders of the liver glands or by irritation of the gall bladder due to thickened bile; would tend to reduce irritation and congestion, alleviate discomfort, and allay the catarrhal condition; would promote a more wholesome condition, increase the flow of bile, assist Nature in its healing work; and that it would produce beneficial results in a very short time, were false and misleading since it would not be efficacious for the purposes recommended. (2) In that the coined word "Regol," appearing on the label as a designation for it, was a false and misleading device meaning to the purchaser that the drug would be effective for the purposes named hereinbefore and that it had acquired such a meaning from the above-named circulars which were distributed to purchasers.

On January 27, 1941, the claimant having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

503. Misbranding of Remas Oil of Herbs. U. S. v. 38 Bottles of Remas Oil of Herbs. Default decree of condemnation and destruction. (F. D. C. No. 3263. Sample No. 33065-E.)

On October 21, 1940, the United States attorney for the District of Massachusetts filed a libel against 38 bottles of Remas Oil of Herbs at Boston, Mass., alleging that the article had been shipped by the Requa Manufacturing Co. from Brooklyn, N. Y., on or about August 20, 1940; and charging that it was misbranded. It was labeled in part: "Remas Oil of Herbs (formerly Rheumaster)."

Analysis of a sample of the article showed that it consisted of oils such as sassafras oil and the oils of coniferous trees.

The article was alleged to be misbranded in that the statements on the bottle label, carton, and in an enclosed circular regarding its efficacy in the treatment of rheumatism or neuritis, were false and misleading since it would not be efficacious for such purposes.

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

504. Misbranding of Tonico Fir-Veta. U. S. v. 68 Bottles of Tonico Fir-Veta. Default decree of condemnation and destruction. (F. D. C. No. 3845. Sample No. 7617-E.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter and falsely represented that it complied with the law. The carton containing the bottle was considerably larger than was necessary.

On February 21, 1941, the United States attorney for the Southern District of California filed a libel against 68 bottles of Tonico Fir-Veta at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about November 25, 1940, by El Modelo Medicine Co. from San Antonio, Tex.; and charging that it was misbranded.

Analysis showed that the article consisted essentially of strychnine and quinine salts, small proportions of iron, calcium, manganese, and potassium compounds including hypophosphites, alcohol, and syrup.