

in that the statements on the label and carton quoted hereinbefore were false and misleading since they were incorrect.

On January 7, 1942, the sole intervenor having withdrawn its appearance, judgment of condemnation was entered and the product was ordered destroyed.

681. Adulteration and misbranding of Coreco Vitamins A-B,-G-D Capsules. U. S. v. 512 Boxes of Coreco Vitamins A-B,-G-D Capsules. Default decree of condemnation and destruction. (F. D. C. No. 6777. Sample No. 23110-E.)

Each of these capsules was represented to contain 50 International Units of vitamin B₁ and 1,000 U. S. P. units of vitamin D; whereas examination showed that they contained less than 12.5 International Units of vitamin B₁ and not more than 850 U. S. P. units of vitamin D.

On January 29, 1942, the United States attorney for the Northern District of California filed a libel against the above-named product at San Francisco, Calif., alleging that it had been shipped in interstate commerce on or about May 25, 1940, by the International Vitamin Corporation from New York, N. Y.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that its strength differed from and its quality fell below that which it was represented to possess, namely, 50 International Units of vitamin B₁ and 1,000 U. S. P. units of vitamin D per capsule, since it contained smaller amounts of both vitamins.

It was alleged to be misbranded in that the following statements were false and misleading since when taken in the dosage of 1 capsule per day as directed, it would not furnish "moderate amounts" of vitamins B₁ and G: "Biologically Assayed and Standardized * * * each capsule contains not less than: * * * 1,000 U. S. P. Units of Vitamin D, 50 International Units of Vitamin B₁ (approx. 100 Chase-Sherman Units) * * * Each capsule is equivalent in U. S. P. Units of Vitamins * * * D to not less than 3 teaspoonfuls of Cod Liver Oil U. S. P., assaying * * * 85 Vitamin D Units per gram. Each capsule furnishes * * * moderate amounts of Vitamin B₁ and G to supplement the supply of these vitamins contained in the diet."

It also was alleged to be adulterated and misbranded under the provisions of the law applicable to foods, as reported in F. N. J. No. 3425.

On March 9, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING STATEMENTS IN THE LABELING³

682. Misbranding of Castoria and Crompton's Liniment. U. S. v. Charles Crompton & Sons, Inc., and George Crompton. Pleas of guilty. Fines, \$20. (F. D. C. No. 5539. Sample Nos. 36263-E, 36861-E.)

The labeling of these products bore false and misleading curative and therapeutic claims, and the labeling of Crompton's Liniment failed to bear the common or usual names of the active ingredients.

On January 19, 1942, the United States attorney for the District of Massachusetts filed an information against Charles Crompton & Sons, Inc., Lynn, Mass., and George Crompton, alleging shipment on or about December 4 and 5, 1940, from the State of Massachusetts into the State of Vermont of quantities of Castoria and Crompton's Liniment which were misbranded.

Analyses of samples of the articles showed that the Castoria consisted of sugar, alcohol, water, methyl salicylate, oil of anise, Rochelle salt, and plant extractives including senna; and that Crompton's Liniment consisted of a fatty oil and volatile oils including camphor, methyl salicylate, and probably eucalyptol.

The Castoria was alleged to be misbranded in that representations in the labeling that it was a remedy for regulating stomach and bowels; was especially useful in convulsions, colic, feverishness, diarrhea, sour stomach, loss of sleep, and worms; and that it would aid digestion and promote rest, were false and misleading since it would not be efficacious for such purposes.

Crompton's Liniment was alleged to be misbranded in that representations in the labeling that it would be efficacious in the treatment of rheumatic pains, numbness of the limbs, contraction of the muscles, pains in the side, chest, and back, hoarseness, sore throat, quinsy, and common and severe cases of headache, were false and misleading since it would not be efficacious for such purposes. It was alleged to be misbranded further in that it was fabricated from two or more

³ See also Nos. 657-659, 661, 662, 664, 665, 667, and 668.