

and tired and run-down conditions; were false and misleading since it would not be efficacious for such purposes.

On May 15, 1942, the defendants entered pleas of guilty and the court fined each one \$200.

731. Misbranding of Renair Pomade. U. S. v. Frederick Godfrey (Adams Products Co.). Plea of guilty. Fine, \$300. (F. D. C. No. 4183. Sample No. 83157-E.)

The labeling of this product bore false and misleading representations regarding its efficacy as a treatment for baldness or thinning and falling hair.

On February 12, 1942, the United States attorney for the Northern District of New York filed an information against Frederick Godfrey, Adams, N. Y., alleging shipment, in the name of the Adams Products Co., on or about May 14, 1940, from the State of New York into the State of New Jersey of a quantity of Renair Pomade which was misbranded. The article was labeled in part as follows: (Jars) "Renair Pomade and Massage Stimulate the Scalp. * * * For Thinned Areas. * * * For Falling Hair."

Analysis showed that the article was an amber-colored ointment containing betanaphthol and volatile oils with cedar-like odor in small amount incorporated in a base consisting chiefly of petrolatum and a smaller amount of fatty material.

The article was alleged to be misbranded in that its labeling bore representations that, when used alone or in conjunction with certain pulling, massaging, and kneading treatments recommended in the labeling, it would produce beneficial effects in the treatment of baldness, falling hair, and thinned hair, whereas it would not produce the beneficial effects claimed for it in the labeling, whether used alone or in conjunction with such treatments.

On April 20, 1942, the defendant entered a plea of guilty and the court imposed a fine of \$300.

732. Misbranding of Betene. U. S. v. 350 Cans and 130 Cans of Betene. Decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 6877. Sample No. 64672-E.)

On February 16, 1942, the United States attorney for the Western District of Pennsylvania filed a libel (amended March 21, 1942) against 480 cans of Betene at Rochester, N. Y., alleging that the article had been shipped in interstate commerce on or about November 25, 1941, from Rochester, N. Y., by the L. H. Stewart Corporation; and charging that it was misbranded.

Analysis of a sample of the article showed that it consisted essentially of a mixture of dried skim milk, dried egg yolk, soya bean tissues, wheat bran, wheat germ, salt, agar agar, calcium phosphate, chondrus (Irish moss), and saccharin, flavored with cocoa, vanillin, and coumarin, together with certain added vitamin substances.

The article was alleged to be misbranded in that statements in the labeling which represented and suggested that when consumed as directed, it would cause an increase in weight, would give vigor and vitality to the user and that it constituted a sure, sane, safe, and effective way to reduce, were false and misleading since its use would not accomplish such results.

It also was alleged to be misbranded under the provisions of the law applicable to foods, as reported in F. N. J. No. 3840.

On May 21, 1942, the L. H. Stewart Corporation having appeared as claimant, and having admitted that the allegations of the libel were substantially correct, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be relabeled under the supervision of the Food and Drug Administration.

733. Misbranding of Camelline. U. S. v. 9 Dozen Bottles of Camelline. Default decree of condemnation and destruction. (F. D. C. No. 6948. Sample No. 63431-E.)

On March 7, 1942, the United States attorney for the District of Oregon filed a libel against the above-named product at Portland, Oreg., alleging that it had been shipped on or about August 28, 1941, by Walter M. Willett from San Francisco, Calif.; and charging that it was misbranded.

Analyses of samples of the article showed that it consisted essentially of calcium carbonate, bismuth, subcarbonate, alcohol, and water.

The article was alleged to be misbranded in that statements on the bottle label and in an accompanying circular suggesting and representing that it was efficacious in preventing tooth decay, freckles, sunburn, poison ivy, poison oak, and in relieving the irritation caused by poison oak and poison ivy, were false and misleading since it would not be efficacious for such purposes.

It was also alleged to be misbranded under the provisions of the law applicable to cosmetics, as reported in C. N. J. No. 85.

On April 13, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

734. Misbranding of Chek-A-Cold. U. S. v. 66 Packages and 69 Packages of Chek-A-Cold. Default decree of condemnation and destruction. (F. D. C. No. 7475. Sample No. 77023-E.)

On or about May 7, 1942, the United States attorney for the District of Delaware filed a libel against 135 packages of Chek-A-Cold at Newark, Del., alleging that the article had been shipped in interstate commerce on or about March 13, 1942, by Hance Bros. & White, Inc., from Philadelphia, Pa.; and charging that it was misbranded.

Examination of a sample of the article showed that it consisted essentially of extracts of plant drugs including an alkaloid-bearing drug, a small proportion of tartaric emetic, chloroform (0.97 minims per fluid ounce), alcohol, sugar, and water.

It was alleged to be misbranded in that the designation "Chek-A-Cold" and the statement "Each Fluid Ounce Contains: Chloroform 4 minims," borne on the carton and bottle label, were false and misleading, since the article contained no ingredient capable of checking a cold and contained materially less than 4 minims of chloroform in each fluid ounce.

On May 27, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

735. Misbranding of Cook's Laxative Cold Breakers. U. S. v. 21 Dozen Packages of Cook's Laxative Cold Breakers. Default decree of condemnation and destruction. (F. D. C. No. 6306. Sample No. 59686-E.)

On or about November 28, 1941, the United States attorney for the Western District of Virginia filed a libel against the above-named product at Grundy, Va., alleging that the article had been shipped in interstate commerce on or about September 16, 1941, by the Thomas E. Cook Chemical Co. from Frederick, Md.; and charging that it was misbranded.

Analysis showed that the article contained acetophenetidin (approximately 1 grain per tablet), cinchonine sulfate (0.26 grain per tablet), camphor, aloin, podophyllin, and cayenne pepper.

The article was alleged to be misbranded in that statements in the labeling which represented that it was efficacious as a remedy for colds and the accompanying ailments, loss of appetite, etc., and that it would break colds, were false and misleading, since it would not be efficacious for such purposes. It was alleged to be misbranded further in that the statements in the labeling "They Contain No Quinine" and "if your druggist cannot supply you, * * * we will mail you a box direct from our laboratory," were false and misleading since the article contained cinchonine, a cinchona alkaloid having properties generally similar to those of quinine, which is also a cinchona alkaloid, and since the firm maintained no laboratory but merely repackaged medicines manufactured in other establishments.

On May 4, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

736. Misbranding of Gold Medal Compound Pills and Savatan. U. S. v. 9 $\frac{1}{2}$ Dozen Packages of Gold Medal Compound Pills and 5 $\frac{1}{2}$ Dozen Packages of Savatan. Default decree of condemnation and destruction. (F. D. C. Nos. 7099, 7100. Sample Nos. 72230-E, 72231-E.)

On March 27, 1942, the United States attorney for the Southern District of California filed a libel against the above-named drug products at Los Angeles, Calif., alleging that they had been shipped in interstate commerce on or about February 16, 1942, by the S. Pfeiffer Manufacturing Co. from St. Louis, Mo.; and charging that they were misbranded. They were labeled in part: "Gold Medal Compound Pills * * * Virginia Chemical Company, St. Louis, Mo." or "Savatan * * * S. Pfeiffer Manufacturing Co., St. Louis, Mo."

Analysis of a sample of the Gold Medal Compound Pills showed that they consisted essentially of iron sulfate and small amounts of volatile oils including oil of spearmint. Analysis of a sample of Savatan showed that each capsule contained approximately 5 minims of apiol.

The articles were alleged to be misbranded in that the following statements in the labeling were misleading since they represented and suggested