

any condition except minor cuts and abrasions, and the article was solely a kit for minor cuts and abrasions.

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

942. Misbranding of Presto for Blackheads. U. S. v. 11 Packages of Presto for Blackheads. Default decree of condemnation. Product ordered destroyed. (F. D. C. No. 8100. Sample No. 12815-F.)

On August 14, 1942, the United States attorney for the District of Oregon filed a libel at Portland, Oreg., against 11 packages, each containing 1 dozen sticks, of an article labeled, "Presto for Blackheads," alleging that the article had been shipped in interstate commerce on or about July 21, 1942, by the McJohn Cosmetic Co. from Hollywood, Calif.

Analysis of a sample of the product showed that it consisted essentially of a mixture of ground pumice and titanium dioxide, incorporated in a hydrated waxy base.

The article was alleged to be misbranded in that the following statements appearing in the labeling were false and misleading as applied to a product that was not effective in removing blackheads and in keeping the pores of the skin clean: "Presto for Blackheads. Quick Aid for Blackheads * * * A clean skin is the foundation for a beautiful complexion: don't allow your complexion to be marred by unsightly Blackheads. Never squeeze or pinch Blackheads; squeezing injures the skin and encourages large pores and Blackheads. Use Presto Stick and Eliminate Squeezing * * * In case of stubborn Blackheads use Presto Stick once daily for several days. Thereafter use from time to time, as required, to keep the pores clean."

It was alleged to be misbranded further in that the label failed to bear the common or usual name of the active ingredients.

The article was also misbranded as reported in cosmetic notices of judgment.

On October 8, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

943. Misbranding of Rel-Ka-Sol. U. S. v. 23 Packages of Rel-Ka-Sol. Default decree of condemnation. Product ordered destroyed. (F. D. C. No. 8240. Sample No. 1812-F.)

On August 31, 1942, the United States attorney for the Northern District of Indiana filed a libel at South Bend, Ind., against 23 packages of Rel-Ka-Sol. The article had been consigned in interstate commerce on or about May 27, 1942, by the Rel-Ka-Sol Chemical Co. from Philadelphia, Pa.

Analysis of a sample showed that the article consisted essentially of water, alcohol, and boric acid, together with small quantities of phenol and chlorthymol. Bacteriological examination showed that the article was not an antiseptic when diluted with two parts of water.

The article was alleged to be misbranded in that the following statements appearing in the labeling were false and misleading since it was not an antiseptic in the dilution recommended and was not effective in the treatment of the conditions represented: (Label) "To Prevent and Treat Infection * * * diluted with two parts water. Kill germs * * * For Sore Throat," (carton) "To Prevent and treat infection * * * Abscess or Boils * * * Tonsillitis * * * Sore Throat * * * Sore and Infected Gums, Abscessed Teeth * * * Ear Discharge * * * Scalp Infection and All Diseases of the Scalp Infection of Any Kind," (circular) "An Antiseptic Solution * * * diluted with two parts water * * * Abscess or Sty of the Eye * * * Treat all infections immediately with Rel-Ka-Sol * * * It kills germs (even when diluted). * * * A large bottle when diluted with two parts of water makes more than a quart of effective mouth-wash."

On October 1, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

944. Misbranding of Formula 8-12 Vitamins-Minerals. U. S. v. 30 Dozen Bottles of Formula 8-12 Vitamins-Minerals. Default decree of condemnation and destruction. F. D. C. No. 9393. Sample No. 32614-F.)

On February 24, 1943, the United States attorney for the Southern District of Indiana filed a libel against 30 dozen bottles of the above-described product at Indianapolis, Ind., alleging that the article had been shipped in interstate commerce within the period from on or about January 10 to 14, 1943, by the Universal Products Co. from Cleveland, Ohio; and charging that it was misbranded. The

article was labeled in part: "Formula 8-12 Vitamins—Minerals Contains Soy Bean Meal, Wheat Embryo, Gum Karaya, Brewer's Yeast, Kaolin, Kelp, Activated Ergosterol, Natural Vitamin A Ester, Thiamin Hydrochloride, Riboflavin, Dicalcium Phosphate, Iron Bihydrogen, Potassium Iodide and Oil of Orange."

The article was alleged to be misbranded in that statements which appeared on the label which represented and suggested that the article was of significant nutritional value by reason of the presence therein of Vitamin E, Vitamin B₆, and other factors of the B complex as found in brewer's yeast and the elements, potassium, sulfur, sodium, magnesium, copper, zinc, chlorine, and manganese were false and misleading since the product was not of significant value by reason of the presence therein of such vitamin factors and elements.

It was alleged to be misbranded further in that representations in the labeling that consumption of the product would insure normal functioning of the brain, eye, pituitary gland, parathyroid gland, thymus, heart, liver, and gall bladder, stomach and digestive system, gastro-intestinal tract, pancreas, suprarenals and adrenals, kidneys, bladder, gonads, prostate, nerves, arteries, veins, lymphatics (blood and blood vessels), muscles, bones, and joints, ligaments, tendons, and marrow, pineal gland, the ear, eye, spinal cord, spleen, hair, skin, complexion, teeth and gums, thymus, lungs, mammary gland, reproductive system (ovary, placenta, prostate-gonads, etc), and the nails, and that the article would be efficacious in the treatment or preventions of colds, infections of the lungs, formation of kidney stones and infections, the formation of bladder stones, cystitis, and other bladder infections, muscular spasms, cramps, exhaustion, inflammation, and paralysis, ulcer of the eye, conjunctivitis, cataracts, and night blindness, scaliness, dryness, paleness of the skin and various skin sores, gum infections, scurvy, and loose teeth, and would be efficacious to promote health, and cause the hair to be glossy and healthy were false and misleading since consumption of the article would not insure normal functioning of the various organs of the body as represented and would not be efficacious in the treatment or prevention of the various disease conditions mentioned and suggested.

The article was also alleged to be misbranded under the provisions of the law applicable to foods reported in food notices of judgment.

On April 22, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

945. Misbranding of Vita Malt with Natura Calcium Compound. U. S. v. 51 Combination Packages of Vita Malt with Natura Calcium Compound. Default decree of condemnation and destruction. (F. D. C. No. 5226. Sample No. 60296-E.)

These articles were represented as being effective in reducing body weight and as valuable in the treatment of a wide variety of pathological conditions.

On July 30, 1941, the United States attorney for the Western District of Washington filed a libel against 51 combination packages of Vita Malt with Natura Calcium Compound, alleging shipment on or about May 23, 1941, from Los Angeles, Calif., to Olympia, Wash., by the Natura Remedy Co., Los Angeles, Calif. In each combination package were articles labeled in part: (Bottle) "Vita Malt Contains Vitamins," (package) "Natura Calcium Compound," (circular) "Do you know that Vitamins Build Health," and (leaflet) "Now You can Reduce Safely."

Analysis of a sample of Vita Malt showed that it was essentially a malt extract, with small amounts of saponifiable oils, water, and sodium benzoate.

It was alleged to be misbranded in that the statements on the label representing and suggesting that it would be effective in reducing body weight were false and misleading, since it was not effective for this purpose. It was alleged to be misbranded further in that the statements in the labeling representing and suggesting that it would be of value in the treatment of a variety of pathological conditions such as anemia, nervousness, sleeplessness, glandular disturbances, lack of appetite, infections, rheumatism, neuritis, and arthritis were false and misleading since it would be of no value in the treatment of such pathological conditions.

Analysis of a sample of "Natura Calcium Compound" showed that it was a mixture of sodium bicarbonate and calcium salts.

The article was alleged to be misbranded in that it was offered as effective in the treatment of colds and grip, whereas it would not be effective for this purpose.

The Vita Malt was also alleged to be misbranded under the provisions of the law applicable to food, as reported in food notices of judgment.

On December 1, 1941, the Natura Remedy Co. having intervened and petitioned for removal of the case, the court entered an order removing it to the Southern