

987. Misbranding of Sani-Caps. U. S. v. 20 Boxes of Sani-Caps. Default decree of condemnation and destruction. (F. D. C. No. 9498. Sample No. 6634-F.)

On March 8, 1943, the United States attorney for the Southern District of Iowa filed a libel against 20 boxes of Sani-Caps at Davenport, Iowa, alleging that the article had been shipped in interstate commerce on or about November 12, 1942, from Rock Island, Ill., by Sani-Caps; and charging that it was misbranded.

Each carton of Sani-Caps contained a circular, 12 empty gelatin capsules, and a collapsible metal tube. Analysis of the contents of the tube showed that the article consisted essentially of glycerin and boric acid, with small amounts of an iodide and a silver compound.

The article was alleged to be misbranded in that the following statements appearing in its labeling: (Carton) "A Marvelous Treatment to preserve Health, Beauty, and Happiness. Instant Relief For Female Trouble," (circular) "Female troubles will be quickly relieved if the DIRECTIONS are followed. Fill a capsule and just before retiring insert into the vagina as far as possible. Allow the capsule to remain over night (advisable to wear napkin to prevent soiling of bed clothes); the next morning take a luke-warm water douche. If the ailment is serious, repeat during the day. In Most cases the first box shows results. If, in your case, Sani-Caps do not, don't get discouraged, as in cases of long standing it sometimes takes several boxes, but feel assured Sani-Caps will not fail. When your health and happiness has returned, don't forget this marvelous remedy, but adopt Sani-Caps for your personal hygiene. Use two or three capsules every week and your old troubles will never return. Sani-Caps are cheap insurance. To prevent INFECTION of disease use as above, giving the capsule time to thoroughly dissolve, 5 to 10 minutes. Afterwards use a douche if you desire," were false and misleading since such statements represented and suggested that the article was effective in the treatment and prevention of female troubles, whereas it was not so effective. It was alleged to be misbranded further in that its label failed to bear the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of its contents; and in that it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each active ingredient.

On April 14, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

988. Misbranding of Stero-Uteroids. U. S. v. 67 Cartons of Stero-Uteroids. Decree of destruction. (F. D. C. No. 9216. Sample Nos. 3548-F, 3549-F.)

On or about January 22, 1943, the United States attorney for the Western District of Missouri filed a libel against 67 cartons of Stero-Uteroids at Kansas City, Mo., which had been transported by the Ainsworth Specialty Co., alleging that the article had been manufactured by the Curts-Folse Laboratories, Kansas City, Kans., and transported to Kansas City, Mo., on or about August 21 and November 16, 1942; and charging that it was misbranded.

Analysis showed that the article consisted essentially of small proportions of zinc sulfate, plant material including alkaloid-bearing drugs, and a trace of iodine incorporated in a base of ichthammol and wool fat.

The article was alleged to be misbranded in that the statements "Stero-Uteroids * * * To be used only by or on the prescription of a physician," appearing in its labeling, were misleading since such statements represented and suggested that it was safe and appropriate for introduction into the uterus by, or as directed by, a physician, whereas it was not safe or appropriate for introduction into the uterus by a physician or any other person.

On April 2, 1943, the Ainsworth Specialty Co., Kansas City, Mo., claimant, having filed an answer to the libel, and later having withdrawn such answer and filed a confession of judgment with respect to the product, judgment was entered ordering that the product be destroyed and that the costs of the proceedings be assessed against the claimant.

989. Misbranding of Bio-Mineral. U. S. v. 76 Gross of Bio-Mineral. Decree of destruction. (F. D. C. No. 9270. Sample Nos. 3044-F, 3554-F.)

On or about February 18, 1943, the United States attorney for the Western District of Missouri filed a libel against 76 gross of Bio-Mineral at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about December 21 and 22, 1942, and January 2, 1943, from Detroit, Mich., by the Bio-Mineral Products Co.; and charging that it was misbranded.

Examination showed that the article consisted essentially of a water solution of ferric sulfate (approximately 3.4 grains per teaspoonful) and smaller amounts of aluminum sulfate, calcium sulfate, magnesium sulfate, and a phosphate.