

failed to bear the common or usual name of each active ingredient of the article.

Munyon's Improved Paw-Paw Pills, misbranding, Section 502 (a), the label statements, "For * * * Indigestion, Headaches and Similar Disorders" and "for * * * Indigestion, Liver Ailments, Headaches and Similar Disorders," were false and misleading, since the article would not be efficacious in the cure, mitigation, treatment, and prevention of indigestion, liver ailments, headaches, and similar disorders; Section 502 (b) (2), the labels on the vials containing the article bore no statement of the quantity of the contents; Section 502 (e) (2), the labels failed to bear the common or usual name of each active ingredient of the article; and, Section 502 (f) (2), the article was a laxative and its labeling failed to bear a warning that it should not be used when abdominal pain, nausea, vomiting, or other symptoms of appendicitis were present, and that continued and habitual use of the article might result in dependence on laxatives to move the bowels.

DISPOSITION: June 12, 1945. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$200 on each count, a total fine of \$400.

1602. Misbranding of George's Rx 205 Tablets and Pepotabs Tablets. U. S. v. George F. Hauptman (Market Drug Co.). Plea of nolo contendere. Fine, 250. (F. D. C. No. 15505. Sample Nos. 50684-F, 50857-F.)

INFORMATION FILED: April 26, 1945, Eastern District of Pennsylvania, against George F. Hauptman, trading as the Market Drug Company, Philadelphia, Pa.

ALLEGED SHIPMENT: On or about January 8 and June 10, 1944, from the State of Pennsylvania into the State of New Jersey.

PRODUCT: Analyses disclosed that the *George's Rx 205 Tablets* consisted of red tablets containing plant material and small proportions of strychnine and phosphorus compounds and white tablets containing thiamine chloride; and that the *Pepotabs Tablets* consisted of brown tablets and white tablets, the brown tablets containing a bitter resin, such as damiana, and small proportions of strychnine and phosphorus compounds, and the white tablets containing thiamine chloride.

NATURE OF CHARGE: *George's Rx 205 Tablets*, misbranding, Section 502 (a), the label statement, "Recommended * * * for persons over 35 years of Age," created the misleading impression that the red and white tablets, when used in conjunction with each other, would be of especial value to persons over 35 years of age, i. e., that they would rejuvenate persons over 35 years of age. Further misbranding, Section 502 (a), the labeling of the article was misleading since it failed to reveal the fact that orchic substance is therapeutically inert when taken orally, as directed in the labeling of the article, which fact was material in the light of the label representation, "Red Tablets Contain: * * * Avenin Orchic Substance * * * Directions: One Red Tablet and one White Tablet, with half glass of water, twice a day."

Pepotabs Tablets, misbranding, Section 502 (a), the name "Pepotabs" created the misleading impression that the article possessed the health-giving and rejuvenating properties implied in the expression "Pep"; and the label statement, "Recommended * * * for persons over 35 years of Age," created the misleading impression that the brown and white tablets, when used in conjunction with each other, would be of special value to persons over 35 years of age, i. e., that they would rejuvenate persons over 35 years of age. Further misbranding, Section 502 (f) (2), the labeling of the article failed to bear adequate warnings since the brown tablets contained strychnine and the labeling failed to warn that frequent or continued use of the article was to be avoided and that use of the article by children and elderly persons might be especially dangerous.

DISPOSITION: June 20, 1945. A plea of nolo contendere having been entered, the court imposed a fine of \$250.

1603. Misbranding of Prentils. U. S. v. 705,792 Tablets, 13,680 Tablets, and 36 Cartons of Prentils. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14605. Sample Nos. 76092-F, 76093-F, 76099-F, 76100-F.)

LABEL FILED: December 4, 1944, Northern District of New York.

ALLEGED SHIPMENT: Between the approximate dates of October 22, 1943, and September 12, 1944, by the Ivers-Lee Co., from Newark, N. J.