

ALLEGED SHIPMENT: Between the approximate dates of March 15 and May 10, 1945, from the State of Alabama into the States of Georgia, Missouri, and Texas.

PRODUCT: These products were substantially of the same composition. They contained approximately 666 U. S. P. units of Vitamin B₁, 0.0005 gram of yohimbin hydrochloride, 0.05 gram of orchic substance, 0.15 gram of calcium glycerophosphate, 0.15 gram of sodium glycerophosphate, and 0.03 gram of nux vomica, per tablet. Nux vomica is a strychnine-bearing drug.

LABEL, IN PART: "Testavins * * * Tablets * * * Distributed by Vitamin Park * * * New York City," "Testox * * * Tablets * * * Distributed by Copy Boy Sales Co. * * * Atlanta 3 Ga.," and "Glando-Plex * * * Tablets * * * Distributed by Vigo Vitamin Co. San Antonio, Texas."

NATURE OF CHARGE: Misbranding, Section 502 (a), the statements in the labeling of the articles were misleading since they failed to reveal the fact that orchic substance is of no therapeutic value when taken by mouth, which fact is material in the light of the label statements, "Each Tablet Contains Orchic Substance 0.05 Gram" and "Directions—Take 2 to 3 Tablets"; Section 502 (e) (2), the labels failed to bear the name and quantity or the proportion of the strychnine contained in the articles; and, Section 502 (a), the label statements, "Testavins * * * Indicated in Functional Impotence of Neurasthenic Origin * * * Take 2 to 3 Tablets depending upon age and severity of case," "Testox [or "Glando-Plex"] * * * Directions—Take 2 to 3 Tablets depending upon age and severity of case * * * When desired effect is reached discontinue use," were false and misleading. The names of the articles and the statements quoted above, represented and suggested that the "Testavins" would be efficacious in the treatment of functional sexual impotence of neurasthenic origin, and that the "Testox" and "Glando-Plex" would be efficacious in the treatment of sexual impotence. The articles would not be efficacious for the purposes so represented and suggested.

DISPOSITION: August 19, 1946. Pleas of guilty having been entered, the defendants were fined \$250 and costs.

2032. Misbranding of estrogenic hormone. U. S. v. U. S. Standard Products Co. Plea of nolo contendere. Fine, \$300. (F. D. C. No. 17880. Sample Nos. 16266-H, 17512-H.)

INFORMATION FILED: June 17, 1946, Eastern District of Wisconsin, against the U. S. Standard Products Co., a corporation, Woodworth, Wis.

ALLEGED SHIPMENT: On or about February 2 and June 19, 1945, from the State of Wisconsin into the State of Illinois.

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statements, "Estrogenic substances principally estrone and estradiol" and "Isolated from gravid mare's urine," were false and misleading. The statements represented and suggested that the estrogenic material present in the article was estrogenic substance as it naturally occurs in and is extracted from gravid mare's urine. Estrogenic substance as it naturally occurs in and is extracted from gravid mare's urine consists principally of estrone, whereas the estrogenic substance present in the article consisted principally of substances other than estrone.

DISPOSITION: November 18, 1946. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$300.

2033. Misbranding of Hy-De Tablets, Vitamin E Perles, Garlic Capsules, Vitamin A & D Tablets, Kelp Tablets, Alfa-Yerba Tea Tablets, Improved B Complex Tablets, Hy-C Tablets, No. 5 Glanzyme Tablets, and Sylix-Tron Tablets. U. S. v. Ryer Dietary Supplements Co., Inc. Plea of nolo contendere. Fine, \$100 on count 1; sentence suspended on the other counts. (F. D. C. No. 16581. Sample Nos. 81262-F to 81265-F, incl., 81267-F, 81269-F to 81272-F, incl.)

INFORMATION FILED: February 15, 1946, Southern District of California, against the Ryer Dietary Supplements Co., Inc., Lynwood, Calif.

ALLEGED SHIPMENT: From the State of California into the State of Missouri. The product was shipped between the approximate dates of June 10 and October 24, 1944, and a number of booklets entitled "Vitamin, Mineral and Glandular Therapy" were shipped on or about February 23, 1944.