

The information covered also a shipment of *Ramol* which was intended for use as a food. This latter shipment was alleged to be misbranded under the provisions of the law applicable to foods.

DISPOSITION: December 19, 1947. Pleas of guilty having been entered, the court imposed fines of \$300 and costs against Warren J. Frank and \$600 and costs against Douglass B. Pew.

DRUGS ACTIONABLE BECAUSE OF FAILURE TO BEAR AN ACCURATE STATEMENT OF THE QUANTITY OF THE CONTENTS*

2399. Misbranding of Apex Glossatina and Apex Medicated Scalp Cream. U. S. v. The Apex News & Hair Co., Inc., and Archibald J. Morgan. Pleas of guilty. Corporation fined \$500; individual sentenced to 1 day in custody of U. S. marshal. (F. D. C. No. 23253. Sample Nos. 5096-H, 11881-H, 66405-H to 66407-H, incl.)

INFORMATION FILED: October 30, 1947, District of New Jersey, against the Apex News & Hair Co., Inc., Atlantic City, N. J., and Archibald J. Morgan, president of the corporation.

ALLEGED SHIPMENT: On or about May 29 and June 13, 1946, and January 14, February 10, and March 14, 1947, from the State of New Jersey into the States of Pennsylvania and Massachusetts.

LABEL, IN PART: "Apex Glossatina Anti Burn Hair and Scalp Ointment * * * Net Contents 4 Ozs." or "Apex Medicated Scalp Cream * * * Net Contents 3 Ozs."

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the articles failed to bear labels containing accurate statements of the quantity of the contents. (The articles were short-weight.)

DISPOSITION: December 19, 1947. Pleas of guilty having been entered, the court imposed a fine of \$500 against the corporation and sentenced the individual to serve one day in the custody of the U. S. marshal.

2400. Misbranding of Apex Glossatina and Apex Medicated Scalp Cream. U. S. v. 21 Dozen Containers, etc. (and 1 other seizure action). (F. D. C. Nos. 22950, 22951. Sample Nos. 66405-H to 66407-H, incl.)

LIBELS FILED: April 18, 1947, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about January 17, February 11, and March 14, 1947, by the Apex News & Hair Co., Inc., from Atlantic City, N. J.

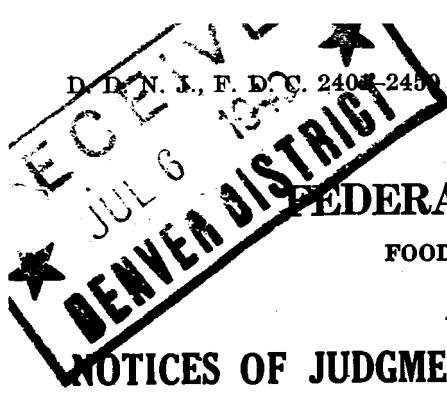
PRODUCT: 37½ dozen metal containers of *Apex Glossatina* and 63 metal containers of *Apex Medicated Scalp Cream* at Philadelphia, Pa.

LABEL, IN PART: "Apex Glossatina Anti Burn Hair and Scalp Ointment * * * Net Contents 4 Ozs." or "Apex Medicated Scalp Cream * * * Net Contents 3 Ozs."

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the articles failed to bear labels containing accurate statements of the quantity of the contents. (The articles were short-weight.)

DISPOSITION: May 20, 1947. Default decrees of condemnation and destruction.

*See also Nos. 2359, 2360.



FEDERAL SECURITY AGENCY

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

2401-2450

DRUGS AND DEVICES

The cases reported herewith were instituted in the United States district courts by the United States attorneys acting upon reports submitted by direction of the Federal Security Administrator.

J. DONALD KINGSLEY, *Acting Administrator, Federal Security Agency.*

WASHINGTON, D. C., November 29, 1948.

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DRUGS AND DEVICES ACTIONABLE BECAUSE OF POTENTIAL DANGER WHEN USED ACCORDING TO DIRECTIONS

2401. Misbranding of various formula drugs and androgenic hormone. U. S. v. 9 Cartons, etc. (F. D. C. No. 20272. Sample Nos. 29661-H to 29665-H, incl.)

LIBEL FILED: June 20, 1946, Northern District of California; amended libel filed June 20, 1947.

ALLEGED SHIPMENT: The drugs were shipped by Basic Endocrines Sales Co., Inc., from Salt Lake City, Utah, on or about March 5 and 29 and April 10, 1946; and a number of booklets and pamphlets were shipped on or about April 18 and November 13, 1945, from Seattle, Wash., by the National Lithographing Co., at the order of Basic Endocrines Sales Co., Inc.

PRODUCT: 9 cartons, each containing 3 packages, of No. 3 Formula GE-2, 19 cartons, each containing 3 packages, of No. 6 Formula GE-5, 9 cartons, each containing 3 packages, of No. 14 Formula GH-3F, 34 cartons, each containing 3 packages, of No. 23 Formula GH-11, and 88 cartons of androgenic hormone at San Francisco, Calif., together with 106 booklets entitled "Basic Endocrines" and 300 pamphlets entitled "Androgenic Substance in Corn Oil."

LABEL, IN PART: "No. 3 Formula GE-2 30 Capsules Each Capsule contains: (Apoth) Thyroid (U. S. P.) 1/10 gr., Anterior Pituitary (N. F.) 1/2 gr., Ovarian Residue (N. F.) 3 grs., and Vegetable base q. s."; "No. 6 Formula GE-5 30 Capsules Each Capsule contains: (Apoth) Cardiac Substance 5 grs., and Vegetable base q. s."; "No. 14 Formula GH-3F 30 Capsules Each Capsule

*For sale under name of another drug, see No. 2403; failure to bear a label containing the name and place of business of the manufacturer, packer, or distributor, Nos. 2403, 2416.