

DISPOSITION: May 21, 1945. A plea of nolo contendere having been entered, imposition of sentence was suspended for 4 years and the defendant was placed on probation for that period of time.

2542. Misbranding of Dry Clime infrared lamps. U. S. v. 23 * * *. (F. D. C. No. 24711. Sample No. 30585-K.)

LIBEL FILED: April 9, 1948, Southern District of California.

ALLEGED SHIPMENT: On or about February 24 and 26, 1948, by the Dry Clime Lamp Corp., from Greensburg, Ind.

PRODUCT: 23 *Dry Clime infrared lamps* at Los Angeles, Calif., together with 250 circulars entitled "Dry Clime Lamp." Examination showed that the lamps consisted of a stand holding a reflector and an electrical heating unit.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the article were false and misleading. These statements represented and suggested that the article would bring a dry desert climate in the bedroom; that it would be effective in the treatment of acute and chronic conditions, colds, coughs, "stuffiness" or sinus headaches, infected sinuses, asthma, bronchial cough and attacks, any respiratory conditions made worse by cold, damp air and benefited by a warm, dry, desert climate, croup attacks, rheumatism, arthritis, neuritis, muscular aches and pains, acute and chronic respiratory conditions, bronchitis, and sinus conditions and sinus pains; that its use would result in easier breathing and more restful sleep; and that the article would clear the nasal passages, relieve congestion, and minimize coughing. The article would not be effective for those purposes.

DISPOSITION: July 2, 1948. The Dry Clime Lamp Corp., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

DRUGS FOR VETERINARY USE

2543. Misbranding of Dr. Schultz Vitalic Egg-Maker, Dr. Hisom Colic Medicine, Dr. Hisom's German Fistula Remedy, Vena-Cide Powder, and Dr. Schultz's Chick Tablets. U. S. v. Picard Pharmacy, Inc. (Venus Wholesale Co., Dr. Hisom Laboratories, and The Chlorine Chemical Co.), and Lawrence J. Doud and Ralph R. Reemts. Pleas of nolo contendere. Fine of \$75 and costs against defendants jointly. (F. D. C. No. 23263. Sample Nos. 20637-H, 68541-H to 68543-H, incl., 68545-H.)

INFORMATION FILED: January 30, 1948, District of Nebraska, against Picard Pharmacy, Inc., trading under the names of the Venus Wholesale Co., Dr. Hisom Laboratories, and The Chlorine Chemical Co., at Geneva, Nebr., and against Lawrence J. Doud, president of the corporation, and Ralph R. Reemts, secretary.

ALLEGED SHIPMENT: On or about February 21, March 12 and 29, and April 7, 1947, from the State of Nebraska into the State of Kansas.

PRODUCT: Analysis disclosed that the *Dr. Schultz Vitalic Egg-Maker* consisted essentially of mineral salts containing 23.23 percent of calcium, 3.40 percent of phosphorus, 2.99 percent of iron, 9.81 percent of sodium chloride, a manganese compound, charcoal, and plant material including nux vomica and quassia; that the *Dr. Hisom Colic Medicine* consisted of an alcoholic solution containing plant extractives, with aconite indicated; that the *Dr. Hisom's German Fistula Remedy* consisted of a solution containing approximately 0.8 gm. arsenic trioxide per 100 cc.; that the *Vena-Cide Powder* consisted of a weak calcium hypochlorite; and that the *Dr. Schultz's Chick Tablets* consisted chiefly of zinc sulphocarbolate, copper sulfate, boric acid, and dextrose.

LABEL, IN PART: (Bag) "Dr. Schultz Vitalic Egg-Maker & General Conditioner * * * Dr. Schultz-Veterinary Laboratories Geneva, Nebr." or (tag) "Dr. Schultz Vitalic Egg-Maker * * * Sole Midwest Distributors Venus Wholesale Co. Geneva, Nebr."; (carton) "Dr. Hisom Colic Medicine * * * Venus Wholesale Co."; (bottle) "Dr. Hisom's German Fistula Remedy * * * Dr. Hisom Laboratories"; (can) "Vena-Cide Powder * * * The Chlorine Chemical Co."; and (can) "Dr. Schultz's Chick Tablets * * * Manufactured for The Venus Wholesale Co."

NATURE OF CHARGE: *Dr. Schultz Vitalic Egg-Maker.* Misbranding, Section 502 (a), certain statements on the label of the article, and in a circular entitled