

Philadelphia, Pa., and "for an aid to the preservation of adequate hearing and eyesight" in a mimeographed book entitled "Why Be Deaf" and "as a preventative of sight impairment" in a book entitled "Vitalic Breathing," which books were being sold by Thomas Gaines during his lectures.

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use for the purposes for which it was intended. The article was misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: February 2, 1950. Default decree of condemnation. The court ordered that the product be delivered to a local hospital.

3047. Misbranding of mineral oil. U. S. v. 73 Bottles, etc. (F. D. C. No. 27187. Sample No. 44645-K.)

LABEL FILED: May 7, 1949, District of Minnesota.

ALLEGED SHIPMENT: On or about January 24, 1949, from Petrolia, Pa.

PRODUCT: *Mineral oil.* 73 1-pint bottles, 29 ½-gallon bottles, 18 1-gallon bottles, and 92 1-quart bottles at Minneapolis, Minn. The product had been repackaged after shipment in interstate commerce and labeled with labels furnished by the Milton Ray Co., Minneapolis, Minn.

LABEL, IN PART: "Dr. Ray Brand Extra Heavy Mineral Oil U. S. P. Heavy * * * Distributed by Milton Ray Company, Minneapolis, Minn."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statement "safe for expectant mothers" was false and misleading since *mineral oil* may not be used without risk by pregnant women since it predisposes to hemorrhagic disease of the newborn; and, Section 502 (f) (2), the article failed to bear such adequate warnings against use by children where its use may be dangerous to health and against unsafe dosage and methods and duration of administration, in such manner and form as are necessary for the protection of users since its labeling failed to warn that the article should not be taken at any time other than bedtime or administered to infants except on advice of a physician. The article was misbranded in the above respects while held for sale after shipment in interstate commerce.

DISPOSITION: On December 5, 1949, a default decree was entered, providing for destruction of the product unless given to charitable institutions. The United States marshal was informed that the product should be given to a charitable institution, such as a hospital which would have doctors and nurses qualified to administer the product, and that such institution should be informed concerning the charges of misbranding against the product. The product was delivered to a Minneapolis hospital.

DRUGS ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

3048. Adulteration of orris root. U. S. v. 67 Bags * * *. (F. D. C. No. 28290. Sample No. 10073-K.)

LABEL FILED: November 21, 1949, Southern District of New York.

ALLEGED SHIPMENT: On or about October 25, 1948, from Leghorn, Italy.

PRODUCT: 67 164-pound bags of *orris root* at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 501 (a) (1), the article consisted in whole or in part of a filthy substance by the reason of the presence of insects. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 15, 1949. Wessel, Duval & Co., Inc., New York, N. Y., claimant having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for fumigation, cracking, brushing, and sifting, or otherwise treating, so as to eliminate and destroy the objectionable portions and thereby bring the product into compliance with the law, under the provision of the Federal Security Agency. The reconditioning operations were completed on or about March 9, 1950, and resulted in the destruction of 1,628 pounds of the product as unfit.

3049. Adulteration of angelica seed. U. S. v. 17 Bags * * *. (F. D. C. No. 28062. Sample No. 56519-K.)

LIBEL FILED: On or about October 24, 1949, Southern District of New York.

ALLEGED SHIPMENT: On or about July 1, 1946, from Belgium.

PRODUCT: 17 150-pound bags of *angelica seed* at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 501 (a) (1), the article consisted in whole or in part of a filthy substance by reason of the presence of insects and rodent excreta. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 29, 1949. The Meer Corp., New York, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portion, under the supervision of the Federal Security Agency. A total of 233 pounds of the product was found unfit and was destroyed, and the remainder of the product under seizure, consisting of 2,315 pounds, was found fit and was released on or about April 7, 1950.

3050. Adulteration of quince seed. U. S. v. 2,000 Pounds * * *. (F. D. C. No. 28063. Sample No. 57123-K.)

LIBEL FILED: October 21, 1949, Southern District of New York.

ALLEGED SHIPMENT: On or about July 1, 1949, from Iran.

PRODUCT: 2,000 pounds of *quince seed* in 8 drums and 1 bag at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 501 (a) (1), the article consisted in whole or in part of a filthy substance by reason of the presence of insects. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 8, 1949. The Meer Corp., New York, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portion, under the supervision of the Federal Security Agency. The segregation operations were completed on or about April 7, 1950. Of the total of 1,503 pounds of the product which had been seized, 219 pounds were found unfit and were destroyed.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS*

3051. Adulteration and misbranding of nembutal suppositories. U. S. v. Abbott Laboratories. Plea of nolo contendere. Fine of \$1,000, plus costs. (F. D. C. No. 26699. Sample Nos. 296-K, 692-K, 15960-K, 32034-K, 34101-K, 34102-K, 37091-K.)

INFORMATION FILED: July 12, 1949, Northern District of Illinois, against the Abbott Laboratories, a corporation, North Chicago, Ill.

*See also No. 3041.