

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE*

3054. Misbranding of Prostall. U. S. v. Douglas Laboratories, Inc., and Edward Y. Domina. Pleas of nolo contendere. Fine of \$1 against corporation; individual placed on probation for 2 years. (F. D. C. No. 23257. Sample No. 63119-H.)

INFORMATION FILED: August 4, 1948, District of Massachusetts, against Douglas Laboratories, Inc., Boston, Mass., and Edward Y. Domina, president of the corporation.

ALLEGED SHIPMENT: On or about February 3, 1947, from the State of Massachusetts into the State of California.

PRODUCT: Analysis showed that the product consisted of gelatin capsules containing glutamic acid.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the article, which included a booklet entitled "The Story of Prostall," were false and misleading. The statements represented and suggested that the article would be effective to relieve the symptoms of prostate hypertrophy, whereas the article would not be effective for such purpose.

DISPOSITION: March 10, 1950. Pleas of nolo contendere having been entered, the court imposed a fine of \$1 against the corporation and placed the individual on probation for 2 years on the condition that during such period he should not send through the mail or ship in interstate commerce the drug known as "Prostall" or any other drug of the same character for which the same claims were made.

3055. Misbranding of Improved Min-E-Vita. U. S. v. Helios Foods, Inc., and Harry H. Grahn (Min-E-Vita Products Co.). Pleas of guilty. Fine of \$250 against the defendants jointly. (F. D. C. No. 25623. Sample Nos. 47745-H, 48261-H, 15932-K.)

INFORMATION FILED: January 16, 1950, Northern District of Illinois, against Harry H. Grahn, trading as the Min-E-Vita Products Co., Chicago, Ill., and against Helios Foods, Inc., Chicago, Ill., and Harry H. Grahn, president of the corporation.

ALLEGED SHIPMENT: On or about April 8, 1948, by Harry H. Grahn, trading as the Min-E-Vita Products Co., from the State of Illinois into the State of Michigan, and on or about September 25 and November 21, 1946, by Helios Foods, Inc., and Harry H. Gahn, president, from the State of Illinois into the State of Colorado.

LABEL, IN PART: "Improved Min-E-Vita A Unit Combination of Minerals and Vitamins * * * Contains * * * only the essential elements required in the normal human body. Calcium Potassium Phosphorus, Aluminum Iron-Sodium Copper-Iodine Magnesium Manganese * * * Each Capsule Contains Not Less Than: Vitamin A — 5000 U. S. P. Units Vitamin B₁ — 333 U. S. P. Units Vitamin C — 600 U. S. P. Units Vitamin D — 500 U. S. P. Units, Vitamin B₂-G — 1000 Gammas — Riboflavin Vitamin E — 2 Minims Wheat Germ Oil—Plus—10 Milligrams Calcium Pantothenate."

*See also No. 3041, 3045, 3047, 3051.