derivatives had been by the Administrator of the Federal Security Agency, found to be, and by regulations designed as, habit forming; and the labels of the tablets and capsules failed to bear the name, and quantity or proportion of such derivatives and in juxtaposition therewith the statement "Warning—May be habit forming."

Further misbranding, Section 502 (f) (1), the labeling of the repackaged drugs failed to bear adequate directions for use since the directions for use "Directions one at bed time," on the labeling of the *seconal sodium capsules*, "Directions As directed," on the labeling of the *pentobarbital sodium capsules*, and "Two every 3½ to 4 hours," on the labeling of the *sulfadiazine tablets*, were not adequate directions for use, and since the labeling of the *phenobarbital tablets* and the *thyroid tablets* bore no directions for use; and, Section 502 (f) (2), the labeling of the repackaged *sulfadiazine tablets* bore no labeling containing warnings against use in those pathological conditions where its use may be dangerous to health, and against unsafe dosage and methods and duration of administration.

DISPOSITION: A motion to suppress evidence and a motion to dismiss the information were filed on behalf of the defendant; and on January 24, 1950, after consideration of the arguments and briefs of counsel, the court entered an order overruling the motions. On March 20, 1950, upon a plea of nolo contendere by the defendant, the court imposed a fine of $1,000. On April 4, 1950, an order was entered amending the sentence to fix the fine at $500 in lieu of the $1,000 fine previously imposed.

3086. Misbranding of Parr's Golden-Ray Oil and Parr's Inhalers. U. S. v. 450 Bottles, etc. (F. D. C. No. 28739. Sample Nos. 52694–K, 52698–K.)

LIBEL FILED: February 24, 1950, Western District of Kentucky.

ALLEGED SHIPMENT: On or about December 1, 1949, by the Cel-Ton-Se Medicine Co., from Cincinnati, Ohio.

PRODUCT: 450 bottles of *Parr's Golden-Ray Oil* and 143 *Parr's Inhalers* at Louisville, Ky., in possession of Thomas C. Williamson.

Examination showed that *Parr's Golden-Ray Oil* had essentially the composition stated on its label, and that the inhalers consisted of glass tubes, each containing a wad of cotton held in place by a perforated stopper.

LABEL, IN PART: "Parr's Golden-Ray Oil Relieve Symptoms of Colds by inhaling * * * For Coughs And Colds * * * For Stiff Joints And Sore Muscles * * * Active Ingredients Eucalyptus Oil, Menthol, Peppermint Oil, Thymol, Camphor" and "Parr's Inhaler Directions: * * * Parr's Golden-Ray Oil is non-toxic and harmless. Add more Oil to Inhaler twice weekly. The House Of Parr 333 Genessee St. Cincinnati 2, Ohio."

NATURE OF CHARGE: Misbranding, Section 502 (a), the statements in the labeling of the articles, namely, "For coughs and colds" and "For stiff joints and sore muscles," were false and misleading since the articles when used as directed were not an adequate and effective treatment for such conditions. The articles were misbranded in the above respects when introduced into, and while in, interstate commerce.

Further misbranding, Section 502 (a), certain statements in the accompanying labeling of the articles, namely, on a placard entitled "Do You Suffer from Headache" and on a circular entitled "Cold Sufferers," were false and misleading since such statements represented and suggested that the articles when used as directed were an adequate and effective treatment for headaches, colds,

coughs, asthma, catarrh, and hay fever, whereas the articles when used as directed were not an adequate and effective treatment for such conditions; and, Section 502 (f) (1), the labeling of the articles failed to bear adequate directions for use in the treatment of the conditions for which they were intended by their distributor, Thomas C. Williamson, namely, head colds, sinus trouble, chest colds, catarrh, arthritis, rheumatism, neuritis, lumbago, hay fever, asthma, high fever from a cold, tonsillitis, laryngitis, or in the prevention of laryngitis, pneumonia, or mastoid trouble. The articles were misbranded in the above respects while held for sale after shipment in interstate commerce.

DISPOSITION: March 27, 1950. Default decree of condemnation and destruction.

DRUG ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

3087. Adulteration of Geo-Mineral. U. S. v. 121 Bottles * * *. (F. D. C. No. 28892. Sample No. 64186-K.)

LIBEL FILED: March 10, 1950, Northern District of Iowa.

ALLEGED SHIPMENT: On or about July 12, 1949, by the Vi-Jon Laboratories, from St. Louis, Mo.

PRODUCT: 121 3-ounce bottles of *Geo-Mineral* at Dubuque, Iowa.

NATURE OF CHARGE: Adulteration, Section 501 (a) (1), the article consisted in whole or in part of a filthy and decomposed substance by reason of the presence of mold. (The article was a water solution of ferric sulfate.)

DISPOSITION: May 2, 1950. Default decree of condemnation and destruction.

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

3088. Adulteration and misbranding of estrogenic substance. U. S. v 34 Vials * * *. (F. D. C. No. 28540. Sample No. 52365-K.)

LIBEL FILED: January 31, 1950, Eastern District of Tennessee.

ALLEGED SHIPMENT: On or about September 10, 1948, by Estro Chemical Co., Inc., from New York, N. Y.

PRODUCT: 34 vials of *estrogenic substance* at Chattanooga, Tenn.

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess.

Misbranding, Section 502 (a), the following label statements were false and misleading as applied to this article, which contained an amount of estrogenic substance derived from the urine of pregnant mares, of which 97% by potency was ketosteroids, calculated as estrone, only sufficient to give the article a potency, per cubic centimeter, of not more than 4,000 International Units: "Estrogenic Substance 20,000 I. U. per cc. * * * Each cc. of this material, when entirely suspended, contains a sterile suspension of Estrogenic Substance (predominantly Estrone) with small varying amounts of other Estrogens derived from the urine of pregnant mares. (Ketosteroids as Estrone, approximately 97% by potency.) Each 1 cc. is equivalent to 20,000 I. U. (assayed in terms of Estrone)."

DISPOSITION: April 21, 1950. Default decree. The court ordered that the product be delivered to the Food and Drug Administration.

3089. Adulteration and misbranding of suprarenin (epinephrine) tablets. U. S. v. 1,975 Tubes * * *. (F. D. C. No. 28487. Sample No. 48570-K.)

LIBEL FILED: December 19, 1949, Eastern District of Pennsylvania.