

30 Grains Viburnum Opulus (Cramp Bark)—15 Grains Alcohol 27 Percent Adult Dose—1 To 2 Fluid Drachms (4 to 8 cc.) As Directed By The Physician.”

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use since the directions found in the labeling, namely, “1 To 2 Fluid Drachms (4 to 8 cc.) As Directed By The Physician,” failed to reveal the condition or conditions of the body for which the article when used as directed would be effective.

DISPOSITION: September 12, 1950. Default decree of condemnation and destruction.

3269. Misbranding of Hollis cold and grippe remedy, Hollis Indian herbs, and Hollis tonic for men. U. S. v. 28 Bottles, etc. (F. D. C. No. 29665. Sample Nos. 62334-K, 62336-K, 62337-K.)

LABEL FILED: July 28, 1950, District of Massachusetts.

ALLEGED SHIPMENT: On or about March 22 and October 6 and 25, 1949, from New York, N. Y., Jersey City, N. J., and Detroit, Mich.

PRODUCT: 28 100-tablet bottles and 27 300-tablet bottles of *Hollis cold and grippe remedy*, 65 3-ounce packages of *Hollis Indian herbs*, and 65 50-tablet bottles and 43 250-tablet bottles of *Hollis tonic for men* at Boston, Mass., in possession of the consignee, Thomas Hollis Co. The products had been shipped in bulk and subsequently were repacked and labeled by the consignee.

Examination showed that the *Hollis cold and grippe remedy* was a mixture of lactose and small amounts of plant extractives, including atropine; that the *Hollis Indian herbs* was a mixture of cut herbs, including prickly ash bark, dandelion root, gentian root, yellow dock root, sarsaparilla root, Chimaphila, boldo leaves, and cascara bark; and that the *Hollis tonic for men* contained zinc phosphide and nux vomica alkaloids, including strychnine.

LABEL, IN PART: “Hollis A. B. B. Vegetable Cold and Grippe Remedy,” “Hollis Indian Herbs A Vegetable Remedy,” and “Hollis Tonic For Men.”

NATURE OF CHARGE: *Hollis cold and grippe remedy.* Misbranding, Section 502 (a), the label statement “Cold and Grippe Remedy” was false and misleading since the article was not an effective treatment for colds and grippe; Section 502 (b) (2), the article failed to bear a label containing a statement of the quantity of the contents; and, Section 502 (e) (2), the article was fabricated from two or more ingredients, and its label failed to bear a statement of the quantity or proportion of the atropine contained therein.

Hollis Indian herbs. Misbranding, Section 502 (a), the label statements “A Vegetable Remedy Blood Tonic Spring Medicine * * * An All Year Round Medicine” were false and misleading since such statements represented and suggested that the article was effective in the treatment of many unspecified diseases of the human body and had a specific remedial effect on the blood, whereas the article was not effective in the treatment of such diseases and did not have a specific remedial effect on the blood; and, Section 502 (f) (2), the article was essentially a laxative, and its labeling failed to warn that the article should not be used in case of nausea, vomiting, abdominal pain, or other symptoms of appendicitis, and that continued use may result in dependence upon laxatives.

Hollis tonic for men. Misbranding, Section 502 (a), the label statement “Tonic For Men Vim and Vigor” was false and misleading since such statement represented and suggested that the article was effective in increasing the

strength and vigor of males, whereas the article was not effective for such purposes; Section 502 (e) (2), the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each active ingredient, including the name, and quantity or proportion of strychnine contained therein; and, Section 502 (f) (2), the labeling of the article failed to bear such adequate warnings against unsafe dosage in such manner and form as are necessary for the protection of users since the article contained strychnine, and its label failed to warn that more than the recommended dosage should not be taken and that its use by elderly persons may be dangerous.

The articles were misbranded in the above respects while held for sale after shipment in interstate commerce.

DISPOSITION: October 9, 1950. Default decree of condemnation and destruction.

3270. Misbranding of Citru-Mix. U. S. v. 152 Bottles, etc. (F. D. C. No. 28320. Sample No. 52932-K.)

LIBEL FILED: December 2, 1949, Western District of Kentucky; amended libel filed April 25, 1950.

ALLEGED SHIPMENT: On or about October 18, 1949, by the Nu-Way Corp., from Grand Rapids, Mich.

PRODUCT: 152 bottles, each containing 80 tablets, of *Citru-Mix*, and 30 4-ounce bottles and 32 2-ounce bottles of a powder of *Citru-Mix* at Bowling Green, Ky., together with a number of display cards entitled "*Citru-Mix*."

Examination showed that the tablets consisted essentially of sodium salicylate, aspirin, calcium succinate, citric acid, sodium citrate, and vitamin B₁; and that the powder consisted essentially of sodium salicylate, citric acid, sodium citrate, vitamin B₁, and sugar.

NATURE OF CHARGE: Misbranding, Section 502 (a), the labeling of the articles represented and suggested that the articles were effective in the treatment and cure of rheumatism, arthritis, and neuritis, which was false and misleading since the articles were not effective in the treatment and cure of such conditions; and the statements on the bottle labels of the powder and tablets "active ingredients * * * citric acid, sodium citrate, dextrose" and (tablets only) "calcium succinate" were false and misleading since the ingredients of the articles, citric acid, sodium citrate, and dextrose, and (tablets only) calcium succinate, were not active in the treatment of the conditions for which the articles were intended.

Further misbranding, Section 502 (f) (1), the labeling of the articles failed to bear adequate directions for use since the labeling failed to bear adequate directions for use in the treatment and cure of rheumatism, arthritis, neuritis, lumbago, sciatica, gout, and the other conditions for which the articles were intended.

DISPOSITION: November 13, 1950. The Nu-Way Corp., claimant, having filed an answer but having failed to appear at the time the case was called for hearing, judgment of condemnation was entered and the court ordered that the products be destroyed.

3271. Misbranding of Missouri Brand Iron Quota tablets, Missouri Brand Golden Seal Plus Fennel tablets, and Missouri Brand Live Spot vitamin E capsules. U. S. v. 794 Bottles, etc. (F. D. C. No. 28248. Sample Nos. 27509-K, 27510-K, 27520-K, 61595-K to 61597-K, incl.)

LIBEL FILED: October 31, 1949, Eastern District of Missouri.