istrator, after investigation, has found to be, and by regulations designated as, habit forming; and the label of the repackaged tablets failed to bear the name, and quantity or proportion of such derivative and in juxtaposition therewith the statement "Warning—May be habit forming."

DISPOSITION: January 2, 1951. A plea of nolo contendere having been entered, the court imposed a fine of $100 on each of counts 1 and 2 of the information and suspended the imposition of sentence on count 3.

3329. Misbranding of Vit-Ra-Tox Osmotic Baths. U. S. v. 30 Cans, etc. (F. D. C. No. 30240. Sample Nos. 79696–K, 79697–K.)

LIBEL FILED: November 14, 1950, District of Massachusetts.

ALLEGED SHIPMENT: On or about September 15, 1950, from Newark, N. J.

PRODUCT: *Vit-Ra-Tox Osmotic Baths.* 30 cans, each containing 4½ pounds, at Franklin, Mass., and 58 cans, each containing 4½ pounds, together with a number of pamphlets entitled "I M Vit-Ra-Tox Osmotic Baths," at Boston, Mass.

RESULTS OF INVESTIGATION: The drugs had been shipped in interstate commerce at the behest of Irons & Moore, from Garden City, N. Y., in unlabeled drums, to Franklin, Mass., to be repacked into 4½-pound cans, labeled as set forth below. At the time of the investigation, 58 cans had been delivered to Irons & Moore at Boston and were accompanied by a number of the pamphlets referred to above. 30 cans were seized in possession of the repackager.

LABEL, IN PART: (Can) "I M Vit-Ra-Tox '18' Osmotic Baths National Distributors Iron & Moore, Boston, Mass. Active Ingredients Vitratox Osmotic Baths contain a new extract of the myroxylon tree from one particular tropical environment. This extract also contains eucalyptol, nerolidol and cinnamein (used as extractors) and is combined with laurel sodium sulfonate (foaming and wetting agent) and sodium carbonate (water softener). Net Weight Four Lbs. 8 Ounces $13.95."

NATURE OF CHARGE: Misbranding, Section 502 (a), (58-can lot) certain statements in the accompanying pamphlet were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for arthritis, bursitis, sciatica, sinusitis, colds, infections; infections in the bones, tissues, and muscles; tissue swellings, sore throat, rheumatic fever, asthma secondary to paranasal sinusitis, and neuritis; that the article would prevent colds and effect reabsorption of calcium deposits; and that the Food and Drug Administration had been furnished reports evidencing effectiveness of the article in relieving arthritis, bursitis, sciatica, and sinusitis, which did not recur after the lapse of months. The article would not fulfill the promises of benefit mentioned, and the Food and Drug Administration had not been furnished with the reports indicated.

Misbranding, Section 502 (f) (1), (30-can lot) the labeling failed to bear adequate directions for use since the labeling failed to indicate the diseases or conditions for which the article was intended to be used.

The article in the 30-can lot and in the 58-can lot was misbranded in the above respects while held for sale after shipment in interstate commerce.

DISPOSITION: December 18, 1950. Default decree of condemnation and destruction.

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

3330. Adulteration of Special C. T. tablets. U. S. v. 2 Bottles, etc. (F. D. C. No. 30314. Sample No. 77391–K.)

LIBEL FILED: November 29, 1950, Southern District of Illinois.

ALLEGED SHIPMENT: On or about June 30, 1950, from St. Louis, Mo.

PRODUCT: *Special C. T. tablets.* 2 5,000-tablet bottles, 1 4,000-tablet bottle, 1 500-tablet bottle, and 1 250-tablet bottle, at Decatur, Ill. Examination showed that each tablet contained approximately 1/3000 grain of nitroglycerin.

LABEL, IN PART: "Special C. T. Tablets * * * Each C. T. contains: * * * Nitroglycerine - - - 1/200 gr."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported or was represented to possess since the tablets contained materially less nitroglycerin than declared on the label. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 26, 1950. Default decree of condemnation and destruction.

3331. Adulteration and misbranding of Quik-Bands. U. S. v. 10 Cases * * *. (F. D. C. No. 29495. Sample No. 47556–K.)

LIBEL FILED: July 11, 1950, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about May 15, 1950, by the Seamless Rubber Co., from New Haven, Conn.

PRODUCT: 10 cases, each containing 720 tins, of *Quik-Bands* at Pittsburgh, Pa.

LABEL, IN PART: (Tin) "Rexall Firstaid Quik-Bands Adhesive Bandages With Mercurochrome * * * 36 Quik-Bands Assorted * * * Sterilized."

NATURE OF CHARGE: Adulteration, Section 501 (b), the product purported to be "Adhesive Absorbent Gauze [or "Adhesive Absorbent Compress"]," a drug the name of which is recognized in the United States Pharmacopoeia, and its quality and purity fell below the standard set forth in the Pharmacopoeia since the gauze was not sterile.

Misbranding, Section 502 (a), the label statements (on individual bandage) "Sterile" and (on carton and tins) "Firstaid" and "Sterilized" were false and misleading.

DISPOSITION: September 7, 1950. The Seamless Rubber Co., 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 to be resterilized, under the supervision of the Food and Drug Administration.

3332. Adulteration and misbranding of prophylactics. U. S. v. 160 Gross * * *. (F. D. C. No. 30321. Sample No. 81628–K.)

LIBEL FILED: December 1, 1950, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 29, 1950, by the Killashun Sales Division, from Akron, Ohio .

PRODUCT: 160 gross of *prophylactics* at Philadelphia, Pa. Examination of samples showed that 2.85 percent were defective in that they contained holes.

LABEL, IN PART: "Silver Tex."

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*See also No. 3340.