

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the article, namely, the accompanying booklets, reprints, and form letter, were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for coronary, anginal, hypertensive, and rheumatic heart disease; for anginal pain; for high blood pressure; for increasing the body's resistance to infections, especially of the respiratory tract; for promoting growth in children; for preventing conjunctivitis, pain, paralysis, neuritis, shingles, sprue or celiac disease, infections, sterility, paralysis of muscle tissues, and deterioration of mental vigor and the ability to think clearly or for long periods; for preventing nervous, mental, muscular, skin, and digestive upsets; for providing endurance; for healing wounds; for counteracting acids; for nourishing the brain and nerves; by acting as a tonic for promoting vitality; for providing energy and vitality; for protecting against physical unsoundness; for providing a body fit for an active and forceful spirit; and for preventing menopausal pain and thrombosis. The article was not an adequate and effective treatment for such conditions and purposes.

The libel alleged further that if the allegations that the above-mentioned booklets, reprints, and letter were part of the labeling of the product are not upheld by the court, then the article was further misbranded under Section 502 (f) (1) in that the labeling failed to bear adequate directions for use in the conditions named in the previous paragraph.

Further misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use in asthma, bronchitis, arthritis, rheumatism, loss of hair, colds, nervousness, and eczema in children; for use in improving the keenness of mind in children; for use in the treatment of incipient cataracts; for use in lung conditions; and for use in the prevention of cancer, which were the conditions for which the article was intended by the distributor.

The article was misbranded in the above respects while held for sale after shipment in interstate commerce.

DISPOSITION: October 24, 1951. Judith A. Norberry, claimant, having consented to the entry of a decree without admitting the truth of the allegations of the libel, judgment of condemnation was entered and the court ordered that the product and the printed and graphic matter be destroyed.

DRUG ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

3627. Adulteration of orrisroot. U. S. v. 181 Bags * * *. (F. D. C. No. 30917. Sample No. 24004-L.)

LIBEL FILED: April 12, 1951, District of New Jersey.

ALLEGED SHIPMENT: On or about November 23, 1948, from New York, N. Y.

PRODUCT: 181 bags, each containing 110 pounds, of *orrisroot* at Bayonne, N. J.

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.

The article was alleged also to be adulterated under the provisions of the law applicable to cosmetics, as reported in notices of judgment on cosmetics, No. 193.

DISPOSITION: July 2, 1951. Default decree of condemnation and destruction.