

LABEL, IN PART: "Lavron Cream * * * Salferal Products Bay Springs, Mississippi."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statements "as a Reducing Plan for Normal Overweights * * * Helpful for * * * Swollen Feet" were false and misleading since the article was not effective for such purposes.

DISPOSITION: September 1951. N. C. Douglas, San Antonio, Tex., claimant, appeared and filed an answer to the libel. Requests for admissions subsequently were filed on behalf of the Government and were answered by the claimant. Thereafter, the 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 brought into compliance with the law by relabeling under the supervision of the Federal Security Agency.

On November 15, 1951, the claimant having failed to withdraw the product from the custody of the marshal, and more than 30 days having passed since the entry of the decree, an order was entered upon motion of the Government directing that the product be destroyed.

3638. Misbranding of Vaporette device. U. S. v. 26 Devices, etc. (F. D. C. No. 29009. Sample No. 60052-K.)

LIBEL FILED: April 6, 1950, Northern District of Illinois.

ALLEGED SHIPMENT: On or about January 9, 1950, by M. F. Robertson Sons, Inc., from Lansdowne, Pa.

PRODUCT: 26 *Vaporette devices* at Chicago, Ill., together with a number of circulars entitled "Less Germs Less Colds with the Vaporette Glycol Vaporizer" and "Less Germs Fewer Colds."

Examination showed that the article was an electrically operated device for vaporizing glycols.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circulars accompanying the device were misleading since the statements represented and suggested and created the impression that by vaporizing glycol the device would prevent the spread of communicable diseases, whereas the vapors of glycol produced by the device were not effective to prevent the spread of communicable diseases.

DISPOSITION: November 29, 1951. Claimants for the devices having filed their appearance and answer, which were later withdrawn, judgment of condemnation was entered and the court ordered that the devices be destroyed.

DRUGS FOR VETERINARY USE

3639. Misbranding of Hess' condensed buttermilk for brood sows and laying hens. U. S. v. 10 Drums, etc. (F. D. C. No. 30817. Sample No. 19377-L.)

LIBEL FILED: February 23, 1951, Northern District of Iowa.

ALLEGED SHIPMENT: On or about January 12, 1951, from Omaha, Nebr.

PRODUCT: 10 drums, each containing 100 pounds, of *Hess' condensed buttermilk* at Miles, Iowa, together with a number of circulars.

RESULTS OF INVESTIGATION: The circulars were entitled "Hess' Brand Condensed Buttermilk," and were delivered to the consignee by Donald Hess of the Hess Condensed Buttermilk Co., Jesop, Iowa, about September 1950. A copy of these circulars was handed to purchasers.

LABEL, IN PART: (Drum) "Hess' Condensed Buttermilk For Brood Sows and Laying Hens."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circulars accompanying the article were false and misleading. These statements represented and suggested that the article was effective in the prevention and treatment of the disease of pigs known as "necro" or necrotic enteritis, whereas the article was not effective in the prevention and treatment of such disease. The article was misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: April 4, 1951. Default decree of condemnation. The court ordered that in lieu of destruction, the article be sold to the highest bidder, conditioned that it not be sold or otherwise disposed of in contravention of any law, and that it be disposed of solely for animal consumption. The court ordered further that the circulars accompanying the article be destroyed. (Editor's Note—Hess' condensed buttermilk for brood sows and laying hens was also published in notices of judgment on foods, No. 17623.)

3640. Misbranding of condition pills for dogs, triple bromide tablets, nerve sedative tablets, and urinary antiseptic tablets. U. S. v. 1 Drum, etc.
(F. D. C. No. 30820. Sample Nos. 23696-L to 23698-L, incl.)

LIBEL FILED: March 2, 1951, District of Connecticut.

ALLEGED SHIPMENT: On or about March 10, June 20, and October 26, 1949, by Cowley Pharmaceuticals, Inc., from Worcester, Mass.

PRODUCT: 1 drum containing 45,000 pills, and 1,458 boxes, each containing 30 pills, of *condition pills for dogs*; 1 drum containing 6,000 tablets of *Triple bromide tablets*; 66 boxes, each containing 15 tablets, of *nerve sedative tablets*; and 1 drum containing 12,000 tablets, and 1,002 boxes, each containing 22 tablets, of *urinary antiseptic tablets* at New Haven, Conn., together with a quantity of labels for each of the products and a number of folders relating thereto entitled "Ranger Dog Manual On Common Ailments and General Symptoms."

LABEL, IN PART: "Condition Pills for dogs * * * Strychnine Arsenite 1-300 gr. Quinine Arsenate 1-60 gr. Iron Arsenate 1-60 gr. Nucleinic Acid 1-300 gr.," "Tablets Triple Bromide," "Nerve Sedative Tablets * * * Sodium Bromide 2½ gr. Potassium Bromide 2½ gr. Ammonium Bromide 2½ gr.," and "Urinary Antiseptic Tablets * * * Methenamine 5 gr."

NATURE OF CHARGE: *Condition pills for dogs.* Misbranding, Section 502 (a), the label statement "Condition Pills for dogs" was false and misleading since the statement represented and suggested that the article would restore dogs to a normal, healthy condition if they are out of condition, whereas the article would not accomplish such result. The article was misbranded in this respect when introduced into and while in interstate commerce. Further misbranding, Section 502 (a), certain statements on the box label and in the accompanying folder entitled "Ranger Dog Manual" were false and misleading since the statements represented and suggested that the article was effective to restore dogs to a normal, healthy condition regardless of condition before using, and to prevent skin rash and falling hair; and that it was effective in the treatment of unthriftiness, poor appetite, dull hair coat, and listlessness, whereas the article was not effective for such purposes. The article was misbranded in this respect while it was held for sale after shipment in interstate commerce.