

**DISPOSITION:** January 21, 1952. The Martin-Parry Corp., claimant, having filed an answer denying that the devices under seizure were misbranded and the Government and the claimant having subsequently agreed to the entry of an order, the court entered its order stating that the devices under seizure were, when shipped, in contravention of Section 502 (a), and directing that such devices, with the consent of the claimant, be delivered by the United States marshal to some public or charitable hospital within the Northern District of Illinois, under labeling to read as follows:

"The Rexair machine is a portable electric cleaner that retains the material collected in a reservoir of water, thus affording a means of disposing of the collected material without shaking it into the air or otherwise handling it.

"The Rexair machine is unique in that its cleaning and dust retaining properties are sufficiently complete to make it useful as an adjunct in the home and hospital to afford symptomatic relief in a protected area or atmosphere such as a closed room for some sufferers of house dust allergy and pollen allergy.

"In addition to its other properties, the Rexair machine, when used according to directions, is capable of increasing the moisture content of dry air."

The court order also directed that the labeling that accompanied the devices shipped in 1949 should be disposed of by the United States marshal in accordance with Section 304 (d).

**DRUGS ACTIONABLE BECAUSE OF FAILURE TO BEAR A LABEL CONTAINING AN ACCURATE STATEMENT OF THE QUANTITY OF THE CONTENTS\***

**3720. Misbranding of epsom salt, isopropyl alcohol rubbing compound, and mineral oil. U. S. v. Roisman Products Co. Plea of nolo contendere. Fine of \$50 and probation for 3 years. (F. D. C. No. 31303. Sample Nos. 16171-L, 16174-L, 31962-L, 31963-L.)**

**INFORMATION FILED:** February 11, 1952, Western District of Oklahoma, against the Roisman Products Co., a partnership, Oklahoma City, Okla.

**ALLEGED SHIPMENT:** Between the approximate dates of July 18, 1950, and February 5, 1951, from the State of Oklahoma into the States of Kansas and Missouri.

**LABEL, IN PART:** (Carton) "Fulvalu Epsom Salts \* \* \* Contains 1/2 lb. when Packed"; (bottle) "Roico Isopropyl Alcohol Rubbing Compound \* \* \* Contents 1 Pint Roisman Products Co"; (bottle) "Stephens' Isopropyl Alcohol Rubbing Compound \* \* \* One Fluid Pint Distributed By Stephens Products Co"; (bottle) "Stephens' Heavy Mineral Oil \* \* \* 1 Fl. Pint Packed For Stephens Products Co. \* \* \* Oklahoma City, Okla."

**NATURE OF CHARGE:** Misbranding, Section 502 (b) (2), the packages and bottles failed to bear labels containing accurate statements of the quantity of the contents since they contained less than the declared amounts.

The information charged also (in count 1) the interstate shipment of a quantity of imitation vanilla flavor which was misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

\*See also Nos. 3701-3710.

**DISPOSITION:** February 15, 1952. A plea of nolo contendere having been entered, the court imposed a fine of \$25 on each of the first 2 counts of the information, suspended the imposition of sentence on the remaining 3 counts, and placed the defendant on probation for a period of 3 years.

**INDEX TO NOTICES OF JUDGMENT D. D. N. J. NOS. 3701 TO 3720**

**PRODUCTS**

|                                   | N. J. No.               |   | N. J. No.          |
|-----------------------------------|-------------------------|---|--------------------|
| Alcohol rubbing compound, iso-    |                         | Liver extract.....                        | 3717               |
| propyl.....                       | 3720                    | Liv-Vi-B.....                             | 3713               |
| Amphetamine phosphate tablets..   | 3706                    | Major Brand B complex vitamin             |                    |
| sulfate tablets..... <sup>1</sup> | 3701, 3703              | tablets.....                              | 3718               |
| dextro-, tablets..                | 3702-3705, <sup>1</sup> | Methyltestosterone linguets....           | 3710               |
|                                   | 3707                    | Mineral oil.....                          | 3720               |
| Amytal tablets.....               | 3705                    | Passion flower herb.....                  | 3711               |
| Androgenic substance.....         | 3710                    | Penicillin G, procaine.....               | 3712               |
| Devices.....                      | 3719                    | Pentobarbital sodium capsules..           | 3702,              |
| Dexedrine Sulfate tablets.....    | 3709                    |   | 3706, 3708         |
| Dextro-amphetamine sulfate        |                         | Procaine penicillin G.....                | 3712               |
| tablets.....                      | 3702-3705, <sup>1</sup> | Rexair device.....                        | 3719               |
|                                   | 3707                    | Seconal Sodium capsules..... <sup>1</sup> | 3701,              |
| Diabetes, remedy for.....         | 3715, 3716              |   | 3702, <sup>1</sup> |
| Diaplex.....                      | 3715, 3716              | Sulfadiazine tablets..... <sup>1</sup>    | 3707, 3710         |
| Epsom salt.....                   | 3720                    | Uni-Swabs.....                            | 3714               |
| Ergoapiol with savin capsules..   | 3710                    | Vitamin preparations..                    | 3713, 3717, 3718   |
| Gelsemium root.....               | 3711                    |   |                    |
| Isopropyl alcohol rubbing com-    |                         |   |                    |
| pound.....                        | 3720                    |   |                    |

**SHIPPERS, MANUFACTURERS, AND DISTRIBUTORS**

|                                       | N. J. No. |                                       | N. J. No. |
|---------------------------------------|-----------|---------------------------------------|-----------|
| Abercrombie, Charles:                 |           | Gross, W. W., Sr.:                    |           |
| dextro-amphetamine sulfate            |           | dextro-amphetamine sulfate            |           |
| tablets.....                          | 3704      | tablets, pentobarbital sodium         |           |
| Booke, Maurice:                       |           | capsules, and Seconal So-             |           |
| pentobarbital sodium capsules..       | 3708      | dium capsules.....                    | 3702      |
| Closson Kelly Drugs. <i>See Walk-</i> |           | H & Y Drug. <i>See Hansard, F. G.</i> |           |
| <i>er, R. M.</i>                      |           | Hansard, F. G.:                       |           |
| Cover, H. S.:                         |           | amphetamine sulfate tablets           |           |
| sulfadiazine tablets, Ergoapiol       |           | and dextro-amphetamine sul-           |           |
| with savin capsules, and              |           | fate tablets.....                     | 3703      |
| methyltestosterone linguets..         | 3710      | Inland Alkaloid Co.:                  |           |
| Cravens, Arvil:                       |           | passion flower herb and gel-          |           |
| amphetamine sulfate tablets           |           | semium root.....                      | 3711      |
| and dextro-amphetamine sul-           |           | Isom, W. S., Sr.:                     |           |
| fate tablets.....                     | 3703      | Seconal Sodium capsules,              |           |
| Del-Mor Pharmacy. <i>See Booke,</i>   |           | dextro-amphetamine sulfate            |           |
| <i>Maurice.</i>                       |           | tablets, and sulfadiazine             |           |
| Georgia Drug Store, Inc.:             |           | tablets..... <sup>1</sup>             | 3707      |
| dextro-amphetamine sulfate            |           | Isom Drug Co.:                        |           |
| tablets, pentobarbital sodium         |           | Seconal Sodium capsules,              |           |
| capsules, and Seconal So-             |           | dextro-amphetamine sulfate            |           |
| dium capsules.....                    | 3702      | tablets, and sulfadiazine             |           |
|                                       |           | tablets..... <sup>1</sup>             | 3707      |

<sup>1</sup> (3701, 3707) Prosecution contested.

# FEDERAL SECURITY AGENCY

## FOOD AND DRUG ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

3721-3740

### DRUGS AND DEVICES

The cases reported herewith were instituted in the United States district courts by the United States attorneys, acting upon reports submitted by the Federal Security Agency, and include, where indicated, the results of investigations by the Agency, prior to the institution of the proceedings. Published by direction of the Federal Security Administrator.

CHARLES W. CRAWFORD, *Commissioner of Food and Drugs.*

WASHINGTON, D. C., *October 29, 1952.*

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\*For presence of a habit-forming narcotic without warning statement, see Nos. 3726-3729; omission of, or unsatisfactory, ingredients statements, Nos. 3721, 3725, 3728-3730; failure to bear a label containing an accurate statement of the quantity of the contents, Nos. 3721, 3723-3730; failure to bear a label containing the name and place of business of the manufacturer, packer, or distributor, Nos. 3721, 3723, 3725, 3726, 3728-3730.