

conditions in which blood salt is deficient; that it was an adequate and effective treatment for fatigue, weakness, depression, twitching, cramps, convulsions, stroke, poor blood circulation, and difficult breathing due to exposure to excessive heat and excessive perspiration; that it would enable the user to stop the tobacco habit; that it was an adequate and effective treatment for ailments associated with toxemia, alimentary or otherwise, which show symptoms of incidental, habitual, or secondary constipation, and blood salt deficiencies; that it was an adequate and effective treatment for anemia, arthritis, sciatica, neuritis, headache, nervousness, and high blood pressure; and that it was an adequate and effective treatment for stomach, liver, kidney, intestine, skin, and blood troubles, and many other ailments. The article was not an adequate and effective treatment for the purposes and conditions represented.

DISPOSITION: October 31, 1952. A plea of nolo contendere having been entered, the court imposed a fine of \$1,000.

3838. Misbranding of Somaca. U. S. v. 75 Bottles, etc. (F. D. C. No. 31774. Sample Nos. 23640-L, 37576-L.)

LIBEL FILED: On or about October 22, 1951, Southern District of New York.

ALLEGED SHIPMENT: On or about August 31, 1951, by Garrett Laboratories, Inc., from Clifton, N. J.

PRODUCT: 75 3-ounce bottles of *Somaca*, 1,500 copies of a leaflet entitled "This Can Happen To You," 700 copies of a letter entitled "My Dear Friend," and 200 copies of a letter entitled "Dear Friend" at New York, N. Y.

LABEL, IN PART: "Net Wgt. 3 ounces SOMACA \* \* \* Active Ingredients Belladonna Extract Powder Each level teaspoonful of Somaca contains about 0.1 mg. Belladonna alkaloids. Sodium Bicarbonate Calcium Carbonate Magnesium Oxide John Peck Laboratories, Inc."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the product, namely, in the leaflets entitled "This Can Happen To You" and in the letters entitled "My Dear Friend" and "Dear Friend," were false and misleading since the article would not be effective in the treatment of ulcers of the digestive tract, as claimed in the labeling.

DISPOSITION: November 21, 1951. Default decree of condemnation and destruction.

3839. Misbranding of Foley Quit-Its throat lozenges. U. S. v. 243 Vials \* \* \*. (F. D. C. No. 32577. Sample No. 10628-L.)

LIBEL FILED: March 6, 1952, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about January 11 and February 6, 1952, by Foley & Co., from Chicago, Ill.

PRODUCT: 243 vials of *Foley Quit-Its throat lozenges* at Milwaukee, Wis.

LABEL, IN PART: (Vial) "Fifteen Foley Quit-Its Antibiotic-Anesthetic Throat Lozenges \* \* \* Each lozenge contains 1 mg. of tyrothricin, 7.5 mg. of benzocaine and ½ grain of ammonium chloride."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in a leaflet entitled "Is Your Face Ever Red," which was enclosed in the carton with each vial, were false and misleading. These statements represented and suggested that the product would be effective in checking, combating, helping to overcome, and preventing throat infections, in protecting against reinfection, and in getting at the cause most often responsible for the condition; that

the tyrothricin contained therein was more effective than penicillin in destroying mouth bacteria; that it would destroy the bacteria that bring on clogged and runny nose and sore throat; and that it would check cough and bronchial congestion and secondary infections and thereby frequently abort colds. The product was not capable of producing the results claimed.

DISPOSITION: May 7, 1952. Default decree of condemnation and destruction.

DRUGS FOR VETERINARY USE

3840. Misbranding of U. S. Stock Food Tonic, U. S. Pheno-Min-Ton, U. S. Poultry Food Tonic, U. S. Poultry Worm Powder, and U. S. Stock Compound. U. S. v. United States Food Co. and Edgar Archer. Pleas of guilty. Joint fine of \$350 imposed. (F. D. C. No. 31305. Sample Nos. 72148-K, 84977-K, 9319-L, 9325-L, 9330-L, 10759-L, 10760-L.)

INFORMATION FILED: March 13, 1952, Southern District of Ohio, against the United States Food Co., a partnership, Cambridge, Ohio, and Edgar Archer, a partner.

ALLEGED SHIPMENT: Within the period from on or about November 1, 1949, to on or about October 17, 1950, from the State of Ohio into the State of Indiana.

LABEL, IN PART: "U. S. Stock Food Tonic \* \* \* Guaranteed Analysis Calcium (Ca), not less than 12.00% Phosphorus (P), not less than 2.00% Salt (NaCl), not more than 19.65% Iodine (I), not less than 0.02% Ingredients: Quassia, Ginger, Gentian Root, Blood Root, American Wormseed, Epsom Salt, Sulphur, Charcoal, Salt, Flaxseed and Ground Grain Screenings Meal 7.4%, Calcium Carbonate from Powdered Limestone, Soft Phosphate with Colloidal Clay, Steamed Bone Meal, Rock Phosphate, Sulphate of Iron, Foenu-greek, Manganese Sulphate 0.03%, Potassium Iodide and Irradiated Dry Yeast," "U. S. Pheno-Min-Ton A Special Mineral-Vegetable Powder for Sheep Composed of Phenothiazine, U. S. Stock Food Tonic, and Salt," "U. S. Poultry Food Tonic \* \* \* Guaranteed Analysis Calcium (Ca), not less than 15.00% Phosphorus (P), not less than 1.55% Salt (NaCl), not more than 10.00% Iodine (I), not less than 0.02% Ingredients: Quassia, Ginger, Iron Oxide, Sulphur, Calcium Carbonate from Powdered Limestone, Salt, Sulphate of Iron, Flaxseed and Ground Grain Screenings Meal 17.5%, Soft Phosphate with Colloidal Clay, Steamed Bone Meal, Rock Phosphate, Epsom Salt, Foenu-greek, Manganese Sulphate 0.03% and Potassium Iodide," "U. S. Poultry Worm Powder \* \* \* Powdered Areca Nut, American Wormseed, Iron Sulphate, Quassia, Sulphur, Epsom Salts, Tobacco Powdered," and "U. S. Stock Compound A Mineral-Vegetable Compound."

Accompanying one shipment of the *U. S. Stock Food Tonic* was additional labeling entitled "Words of Praise From Users," "Prize Winners at the Illinois, Indiana and Kentucky State Fairs," "Special Directions. How to Feed the U. S. Preparations," "Why U. S. Stock Food Tonic Gives Stockmen So Much More Weight in Service and Profit Than Powders Containing Minerals Only," and "How to Feed U. S. Stock Tonic To All Livestock." Accompanying the other shipment of the *U. S. Stock Food Tonic* was additional labeling entitled "U. S. Helps Make Grand Champion" and "How to Feed U. S. Stock Tonic To All Livestock."

Accompanying the *U. S. Pheno-Min-Ton* was additional labeling entitled "Co-operate With Nature and Succeed With Sheep."

Accompanying the *U. S. Poultry Food Tonic* was additional labeling entitled "Directions for Feeding U. S. Poultry Food Tonic."