

~~RESULTS OF INVESTIGATION: The consignee relabeled the products after their shipment in interstate commerce.~~

LABEL, IN PART: (Vial) "Nelson 30 cc. Anterior Pituitary Injectable * * * List No. 270 * * * Each cc. contains the water soluble heat stable, extractives derived from (18½ gr.) 1.2 Gm. fresh anterior pituitary lobes. * * * Preservative: Chlorobutanol (chloroform derivative) 0.5%" and "Nelson 30 cc. Whole Ovarian Injectable * * * List No. 280 * * * Each cc. contains the water soluble heat stable, extractives derived from 40 gr. of fresh whole ovarian tissue. Preservative: Chlorobutanol (chloroform derivative) 0.5%."

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the articles failed to bear adequate directions for use. The articles were misbranded when introduced into, while in, and while held for sale after shipment in, interstate commerce.

DISPOSITION: April 8, 1954. Default decree of condemnation and destruction.

4388. Misbranding of ultrasonic device. U. S. v. 1 Device, etc. (F. D. C. No. 34464. Sample No. 40623-L.)

LIBEL FILED: January 15, 1953, Western District of Washington.

ALLEGED SHIPMENT: On or about June 5, 1952, by R. J. Lindquist, from Los Angeles, Calif.

PRODUCT: 1 *ultrasonic device* at Seattle, Wash., together with 1 copy of a two-page translation from Pohlmon "Die Ultraschalltherapie," 1 copy of an instruction booklet designated "Lindquist 'Chronosonic' Ultrasound Generator Model 401," and 1 copy of printed matter designated "Bulletin * * * Ultrasonics In Therapy."

The above-mentioned instruction booklet indicated that the device would give off ultrasonic energy at approximately 1 megacycle frequency and at a maximum energy intensity output of 2 watts per square centimeter of "head."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the above-mentioned translation and in the above-mentioned bulletin accompanying the device were false and misleading. The statements represented and suggested that the device would provide an adequate and effective treatment for abscesses, adnexitis, angina pectoris, arthritis, asthma, Bechterew's disease, bed-wetting, bronchitis (bronchiectasis), bursitis, causalgia, colecystitis, colesystopathic, coccygodynia, colitis, coxarthrosis, diphtheric bacilli carriers, glands (tumefaction), Dupuytren's contracture, dysbasia, elephantiasis, eczema, endangitis obliterans, epicondylitis, epilepsy, erythema nodosa, erythromelalgia, fistula, furuncle, carbuncle, joint effusion, gingivitis, urethral stricture, skin carcinoma, hemiplegia, herpes zoster, hypertonia essential, infiltrations, intercoastal neuralgia, induratio penis plast, ischialgia, lockjaw, lumbago, lymphadenitis, mastitis, Meniere's disease, multiple sclerosis, myalgia, myelitis, scar contraction, neuralgia, neuritis, neuroma after amputation, osteomyelitis, ostitis, periostitis, panaris, paradentosis, parotitis, paronychia, parulis, periarthritus, phlegmon, polyarthritus, postoperative pain, prostatitis, pruritus, pulpitis, Raynaud's disease, rheumatism, X-ray ulcers, scalenus syndrom, sweat glands abscess, scleroderma, sinusitis, spondylosis, sudek'sche dystrophy, tendovaginitis, thrombophlebitis, tonsillitis, trigeminus neuralgia, tuberculosis, tumors, ulcus cruris, gastrointestinal ulcers, warts, dental granuloma, cellulitis, radiculitis, kieferhoehlenentzuendung, and nebenhoehlenentzuendung. The device would not provide an adequate and effective treatment for such conditions.

Further misbranding, Section 502 (f) (1), the labeling of the device failed to bear adequate directions for use for the purposes for which it was intended.

DISPOSITION: Robert V. Carroll appeared as claimant and filed an answer denying that the device was misbranded. On May 25, 1954, the claimant having represented to the court that he was no longer interested in the device under seizure and believed no useful purpose would be served by contesting the case, and also having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the device be destroyed.

DRUGS ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

4389. Adulteration of German chamomile. U. S. v. 115 Packages * * *.
(F. D. C. No. 36224. Sample No. 57095-L.)

LIBEL FILED: January 4, 1954, Northern District of Ohio.

ALLEGED SHIPMENT: On or about November 12, 1953, by the Rexall Drug Co., from Pittsburgh, Pa.

PRODUCT: 115 packages of *German chamomile* at Cleveland, Ohio.

LABEL, IN PART: "1 Ounce Rexall U (Various Numbers) Puretest German Chamomile *Matricaria Chamomilla, Lin.*"

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, insect parts, and rodent hairs.

DISPOSITION: March 12, 1954. Default decree of condemnation and destruction.

4390. Adulteration and misbranding of herb tea. U. S. v. 57 Bags, etc. (F. D. C. No. 36222. Sample No. 58896-L.)

LIBEL FILED: January 13, 1954, Northern District of Illinois.

ALLEGED SHIPMENT: On or about April 21 and 22, 1942, from Jersey City, N. J.

PRODUCT: 57 bags and 140 boxes of *herb tea* at Chicago, Ill., in possession of the Z. G. Stanis Co., together with a number of leaflets entitled "Temporary List Of Z. G. Herbs And Stanis Products."

RESULTS OF INVESTIGATION: The product contained in the bags represented a portion of a bulk shipment of 217 bags, and the product in the boxes had been repackaged by the consignee from the bulk shipment. The above-mentioned leaflets were printed locally for the consignee.

LABEL, IN PART: (Bag) "102 Lbs. Seventeana Tea"; (box) "Z - G Herbs * * * Net Weight 4 Oz. No. 17 * * * Herb Tea Seventeen is a composition of select herbs, barks, roots, flowers and seeds, intended to promote and help maintain regular elimination * * * List of ingredients * * * Burdock Root Boneset Herb Catnip Herb Centuary Herb Comfrey Root Condurango Bark Echinacea Root Fennel Seed Horsetail Rush Lemon Balm Life Root Herb Pipsissewa Herb Sarsaparilla Root Saffron Flowers Sassafras Bark Senna Pods Senna Leaves Uva Ursi Leaves Wormwood Herb Yarrow Herb."

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, insect parts, and rodent excreta; and, Section 501 (a) (2), the article had been held under insanitary conditions whereby it may have been and had been contaminated with filth by reason of its exposure to attack by insects and rodents.