

article failed to bear the common or usual name of each active ingredient since the presence of sulfaquinoxaline in the product was not declared.

DISPOSITION: 11-10-58. Default—delivered to a county institution for consumption by animals.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS*

5762. Mill Rue tonic. (F.D.C. No. 42150. S. Nos. 11-293/6 P.)

INFORMATION FILED: 7-22-58, S. Dist. Ill., against Millpax, Inc., Carlock, Ill., and Roy F. Paxton, secretary-treasurer, and director of the corporation.

SHIPPED: Between 9-25-57 and 2-14-58, from Illinois to Indiana.

LABEL IN PART: (Btl.) "MILL RUE Tonic Hematinic Stomachic Contents 8 Fl. Oz. Manufactured by MILL PAX, Inc. Carlock, Illinois."

ACCOMPANYING LABELING: Leaflet entitled "Why Suffer? Take 'Mill Rue' and Enjoy Life As You Live!"

CHARGE: 502(a)—the labeling of the article, when shipped, contained false and misleading representations that the article was an adequate and effective treatment for cancer, ulcers, kidney troubles, and bladder troubles.

PLEA: Guilty.

DISPOSITION: 10-7-58. Corporation fined \$400, plus costs; and individual fined \$800.

5763. Mintola Essence, herb pectoral, and balsam oil. (F.D.C. No. 42183. S. Nos. 12-407/9 P.)

QUANTITY: 15 4-oz. btls., and 15 gals. in bulk, of *Mintola Essence*, 14 8-oz. btls., and 10 gals. in bulk, of *herb pectoral*, and 10 gals. in bulk, of *balsam oil*, in possession of Three V Medical Co., at Oak Park, Ill.

SHIPPED: During 1957 and 1958, various ingredients of the articles were shipped in interstate commerce to Oak Park, Ill., from St. Louis, Mo., New York, N.Y., and Cincinnati, Ohio.

LABEL IN PART: (Btl.) "Three V.V.V. Brand Herb Pectoral or Lung Balsam"; "Three V.V.V. Brand Balsam Oil"; and "Three V.V.V. Brand Mintola Essence or Green Drops."

RESULTS OF INVESTIGATION: The Three V Medical Co. compounded, packaged, and labeled the above-mentioned articles from various ingredients which had been shipped in interstate commerce as described above.

LIBELED: 9-12-58, N. Dist. Ill.

CHARGE: *Mintola Essence*. 502(a)—the labeling of the article, while held for sale, contained false and misleading representations that the article was an adequate and effective treatment for colic, summer complaints, spasmodic pains in stomach, sore throat, swollen tonsils, colds, toothache, earache, chilblains, boils, and frozen limbs; and 502(e) (2)—the label of the article failed to bear the common or usual name of each active ingredient and the quantity and kind of alcohol present in the article.

Herb pectoral. 502(a)—the labeling of the article, while held for sale, contained false and misleading representations that the article was an adequate and effective treatment for croup, coughs, bronchial troubles, whooping cough,

*See also Nos. 5745, 5747-5749, 5751-5754, 5756-5761.

flu and pneumonia; and 502(e) (2)—the label of the article failed to bear the common or usual name of each active ingredient.

Balsam oil. 502(a)—the labeling of the article, while held for sale, contained false and misleading representations that the article was an adequate and effective treatment for earache, neuralgia, skin irritations, open wounds, sprains, eczema, swellings, bruises, and caked and sore nipples in cows; and 502(e) (2)—the label of the article failed to bear the common or usual name of each active ingredient and the quantity and kind of alcohol present in the article.

The libel alleged also that a quantity of vanilla extract was adulterated and misbranded under the provisions of the law applicable to foods as reported in notices of judgment on foods.

DISPOSITION: 10-14-58. Default—destruction.

5764. Ironsol. (F.D.C. No. 41949. S. No. 38-236 P.)

QUANTITY: 48 unlabeled 1-gal. btls. and 29 individually cartoned 2-oz. btls. at Memphis, Tenn.

SHIPPED: The article was shipped in 55-gal. wooden bbls. sometime in September 1957, from Morton, Miss., by Morton Services, Inc.

LABEL IN PART: (Btl.) "Ironsol Hematinic-Tonic-Stomachic-Active Ingredients: Soluble Iron (as Ferric Sulphate), Aluminum Sulphate and traces of other minerals * * * Distributed by Morton Services, Inc., Morton, Miss."

ACCOMPANYING LABELING: Leaflets designated "Ironsol * * * Minerals Make The Man Or Woman."

RESULTS OF INVESTIGATION: The article in the bottles was repacked by the consignee from the barrels in which it was shipped as described above. The bottle labels and the leaflets referred to above were supplied by the shipper.

LIBELED: 7-25-58, W. Dist. Tenn.

CHARGE: 502(a)—the labeling of the article, when shipped and while held for sale, contained false and misleading representations that the article was effective in the treatment of impaired health, stomach ulcers, nervousness, "nervous indigestion," heartburn, indigestion, sleeplessness, hepatitis, poison ivy, sores in the mouth, gall bladder trouble, allergies, kidney trouble, impaired appetite, loss of weight, sour stomach, loss of vitality, lost manhood, stomach troubles, tingling of the fingers, impaired circulation, infection, and a condition of impure blood; and for producing a stomachic effect.

DISPOSITION: 8-28-58. Default—destruction.

5765. Sta-Fit (Food supplement). (F.D.C. No. 41923. S. No. 2-540 P.)

QUANTITY: 487 8-oz. cans and 126 16-oz. cans at Sarasota, Fla.

SHIPPED: Between 5-15-58 and 6-6-58, from Cedar Rapids, Iowa, by Professional Foods Co.

LABEL IN PART: "New 2-Way STA-FIT * * * for both 1: Weight Control 2: Nutritional Supplement Ingredients: Lactalbumin and Soya Protein, Milk Solids (non-fat), Amino Acid, Casein, Methyl Cellulose, Lecithin, Essential lipids from Wheat, Rice, Bran and Soya Bean Oils, Vitamin B-12, Calcium Cyclamate, natural flavors and vitamins from food sources."

ACCOMPANYING LABELING: Folders entitled "You Mean That STA-FIT Can Really Help All of Us?"

LIBELED: 7-11-58, S. Dist. Fla.