

**21177. Misbranding of Dennos Food. U. S. v. 70 Small Cans, et al., of Dennos Food. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30698. Sample nos. 23378-A, 23379-A.)**

This case involved an interstate shipment of a product known as Dennos Food, the labeling of which bore unwarranted curative and therapeutic claims. The labeling of the article also bore false and misleading claims that it would make cow's milk digestible and supply the body with vitamins.

On July 7, 1933, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 104 small cans and 22 large cans of Dennos Food at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about June 17, 1933, by the Dennos Food Co., from Portland, Oreg., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of wheat flour, bran, and sugar.

It was alleged in the libel that the article was misbranded in that the statements in the labeling, (can) "Dennos makes cow's milk digestible" and (circular) "Dennos \* \* \* a food which supplies the body with vitamins", were false and misleading, since the article did not possess these functions. Misbranding was alleged for the further reason that the following are statements regarding the curative or therapeutic effects of the article and were false and fraudulent: (Can label, large and small size) "Plain milk often causes distress and indigestion, \* \* \* Dennos \* \* \* gives the weak stomach a feeling of great comfort. \* \* \* which build up health for adults, and strong bones, firm flesh, and good teeth for babies"; (can label, large and small size) "Plain milk often causes distress and indigestion \* \* \* Dennos \* \* \* gives the weak stomach a feeling of great comfort. \* \* \* which build up health for adults, and strong bones, firm flesh, and good teeth for babies"; (large circular, both sizes) "Statistics show that, though the death rate among infants and children has been greatly reduced, the rate among the middle aged has shown little if any improvement. When the same attention is given to adult feeding, as has been given infant feeding, progress in the diseases of middle life will be shown. \* \* \* aids the digestion of other foods. Dennos is beneficial for elderly people and invalids with delicate stomachs \* \* \* Dennos for indigestion, heartburn, flatulence, etc. \* \* \* Dennos for insomnia \* \* \* Dennos and milk produces sound, refreshing sleep. Dennos for ulcers \* \* \* as improvement begins. Dennos for invalids and delicate children \* \* \* Dennos is beneficial in cases of typhoid, tuberculosis, stomach-ulcer, gastro-enteritis, indigestion, post-operative cases, flu convalescence, insomnia \* \* \* Dennos is an important food in cases of cancer because malignant growths develop much more slowly in well-nourished and active individuals than in the anemic and under-nourished. Dennos is an excellent diet for any one in a run-down condition. You can build up weight, strength and vitality, by taking a glass of milk prepared with Dennos, regularly, between meals. \* \* \* Dennos is so easily digested that a glassful may be taken every hour"; (small circular, small size only) "For Adults. There are thousands of exceedingly thin men, women and children who need more weight and need it badly. Most of these people need more energy and vigor. If you are underweight and lack energy, you are not getting the proper nourishment from your food. Dennos aids digestion \* \* \* body-building \* \* \* builds up the weight, strength and vitality."

On July 25, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

**21178. Adulteration and misbranding of aspirin tablets. U. S. v. 26 Cards, 104,612 Envelops, and 5 Dozen Bottles of Aspirin Tablets. Default decrees of destruction entered. (F. & D. nos. 30024, 30361, 30405. Sample nos. 28776-A, 34469-A, 35760-A.)**

These cases involved shipments of alleged 5-grain aspirin tablets. Examination showed that the article was below the professed standard, samples taken from each of the three lots having been found to contain 1.75, 2.0, and 2.1 grains per tablet, respectively, of aspirin. In one of the shipments the labeling of the article also bore unwarranted curative and therapeutic claims.

On March 31, 1933, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the