

Am making my dresses smaller"; (bottle) "Dosage—1 to 3 Tablets Daily"; (leaflet attached to bottle) "Directions. For the first 3 days, take 1 tablet with a glass of water, after breakfast only; the next 4 days, take 1 tablet after breakfast and 1 after lunch; after that, take 1 tablet after each meal, 3 a day, *no more*," were false and fraudulent in that they represented that the article was capable of reducing fat without endangering the health of any person if used as directed; whereas the article contained dinitrocresol as its active ingredient in a quantity sufficient to have a potentially harmful effect on the heart and other vital organs.

On December 7, 1937, the cases having been consolidated and a plea of *nolo contendere* having been entered by the defendant, he was sentenced to pay a fine of \$50.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28340. Misbranding of cold capsules. U. S. v. S. Pfeiffer Manufacturing Co. Plea of guilty. Fine, \$300 and costs. (F. & D. No. 39773. Sample Nos 21601-C, 34553-C, 34554-C.)

These capsules contained greater amounts of acetanilid than declared.

On September 14, 1937, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the S. Pfeiffer Manufacturing Co., a corporation, St. Louis, Mo., alleging shipment by the said defendant in violation of the Food and Drugs Act on or about October 20, 1936, and March 5, 1937, from the State of Missouri into the State of Alabama of quantities of cold capsules which were misbranded. The article was labeled variously in part: "Gold Medal * * * Cold Capsules * * * S. Pfeiffer Mfg. Co., St. Louis, Mo. Distributors"; "Alpha Cold Capsules * * * Virginia Chemical Co., St. Louis, Missouri"; "Gray's Cold Capsules * * * Gray Pharmacal Co. St. Louis, Mo."

The article was alleged to be misbranded in that the statement borne on the packages, "Each Capsule Contains 1½ Grains Acetanilid," was false and misleading in that it represented that each of the capsules contained 1½ grains of acetanilid, whereas each of the capsules contained more than 1½ grains, to wit, not less than 1.79 grains of acetanilid; and in that it contained acetanilid, and the label on the package failed to bear a statement of the quantity or proportion of acetanilid contained therein.

On November 13, 1937, a plea of guilty was entered and the defendant was sentenced to pay a fine of \$300 and costs.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28341. Misbranding of Van's Magic Oil. U. S. v. Guy S. Vanderlinde. Plea of nolo contendere. Fine, \$50. (F. & D. No. 39827. Sample Nos. 34047-C, 34048-C.)

The labeling of this product bore false and fraudulent representations regarding its therapeutic and curative effects.

On November 15, 1937, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Guy S. Vanderlinde, Muskegon, Mich., alleging shipment by the said defendant in violation of the Food and Drugs Act as amended, on or about April 1 and 26, 1937, from the State of Michigan into the State of Illinois, of quantities of Van's Magic Oil which was misbranded. The article was labeled in part: "Van's Magic Oil Mfd by Guy S. Vanderlinde Muskegon, Mich. Successor To N. G. Vanderlinde."

Analysis of a sample of the article showed that it consisted essentially of volatile oils including camphor and eucalyptol (10 percent) incorporated in a base of linseed oil.

The article was alleged to be misbranded in that statements appearing in the labeling falsely and fraudulently represented its effectiveness in the treatment of nervous and inflammatory diseases, headache, toothache, rheumatism, lame back or side, neuralgia, burns, cuts, bronchitis, sore throat, coughs, hoarseness, piles, pains in back or side, and teething.

On November 18, 1937, the defendant entered a plea of *nolo contendere*, and he was sentenced to pay a fine of \$50

HARRY L. BROWN, *Acting Secretary of Agriculture.*