

100. Misbranding of Myasthene Tablets. U. S. v. 102 Bottles of Myasthene Tablets. Default decree of condemnation and destruction. (F. D. C. No. 660. Sample Nos. 47734-D, 47735-D, 47736-D.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated below.

On September 29, 1939, the United States attorney for the District of Columbia filed a libel against 102 bottles of Myasthene Tablets at Washington, D. C., alleging that the article had been shipped in interstate commerce on or about September 2, 1939, by the Medicinal Specialties Co. from New York, N. Y.; and charging that it was misbranded.

Analysis showed that the tablets each contained 7.2 grains of aminoacetic acid (glycocoll).

The article was alleged to be misbranded in that its labeling bore representations that it was efficacious for "that tired feeling"; that it consisted of glycocoll, an unusually effective compound for increasing the energy and vigor of the tired individual; that it was intended especially for chronic tiredness and easy fatigability known as myasthenia mitis which translated means "mild muscular weakness"; that phospho-creatine must be present in sufficient quantity in the muscles in order to provide energy for muscular action and that if it is deficient in quantity the amount of work or energy is below par, there is lack of physical vigor, energy, stamina, endurance, and of a normal capacity to work and enjoy life in the fullest; that the article would increase the amount of phosphocreatine in muscles and by doing so would increase the amount of effort which a person could exert by as much as 200 percent or more; that it would be valuable in other bothersome conditions such as underweight or weight loss in children, loss of appetite and certain types of nervousness; that its value had been proved by research workers, clinical tests, and famous physicians, which representations and others of like import in the labeling, together with a design of a tired girl and a contrasting figure of a vivacious girl, also of a tired man and a contrasting figure of an energetic man, with accompanying representations that the article had produced the improvement, were false and misleading in that the article was not efficacious for the purposes recommended.

On November 21, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DRUGS SOLD FOR BOTH HUMAN AND VETERINARY USE

101. Misbranding of Seeley's Spook Oil Linament. U. S. v. 22 Bottles of Seeley's Spook Oil Linament. Default decree of condemnation and destruction. (F. D. C. No. 662. Sample No. 70609-D.)

The labeling of this product bore representations that it was efficacious in the treatment of human beings for tick bites, piles, colds, toothache, sunburn, scalds, sore throat, fire burns, flu, earache, cuts, mashed toe or finger, sore joints or rheumatic pains, and dandruff; that it was efficacious in the treatment of horses for all external ailments, wire cuts, sore joints, and nail holes; that it was efficacious "to heal a burn fast"; and that it would not allow a scab to form and therefore would leave no scar.

On October 3, 1939, the United States attorney for the District of Nebraska filed a libel against 22 bottles of Seeley's Spook Oil Linament at Gibbon, Nebr., alleging that the article had been shipped in interstate commerce on or about September 15, 1939, by G. A. Seeley from Louisville, Colo.; and charging that it was misbranded.

Analysis showed that the article consisted essentially of turpentine oil (50 percent), methyl salicylate (2 percent), copper acetate (0.2 percent), and a fatty oil.

It was alleged to be misbranded in that the representations in the labeling referred to above were false and misleading since they represented that it was efficacious for the purposes recommended; whereas it was not efficacious for such purposes.

On December 15, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

102. Misbranding of Yucca-Balm. U. S. v. 118 Cans of Yucca-Balm. Default decree of condemnation and destruction. (F. D. C. No. 685. Sample No. 70619-D.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated below.

On October 7, 1939, the United States attorney for the District of Colorado filed a libel against 118 cans of Yucca-Balm at Denver, Colo., consigned by Geo. Bell Co. (Yucca Balm Co.), alleging that the article had been shipped in interstate commerce on or about August 14, 1939, from Ogden, Utah; and charging that it was misbranded.

Analysis showed that the article consisted essentially of soft soap and cresol (0.30 percent).

The article was alleged to be misbranded in that its labeling contained representations that it was efficacious in the treatment of animals for cowpox, garget, spider, caked bag in dairy cows, bluebag in sheep, scours in calves, sprains, sores, and infections; that it was efficacious for the relief of sore feet, dandruff of human beings, and was valuable for the relief of human aches, pains, and swellings; that the ingredients conformed to the standards of the United States Pharmacopoeia and of the Federal Food, Drug, and Cosmetic Act, and were harmless to humans and animals, which representations were false and misleading since the article was not efficacious for the purposes recommended.

On October 23, 1939, the Geo. Bell Co. having signed an acceptance of service and authorization for taking of final decree, judgment of condemnation was entered and the product was ordered destroyed.

VETERINARY REMEDIES

103. Misbranding of Peacock's Garlic for Health and Peacock's Pure Garlic Extract. U. S. v. 9½ Dozen Bottles of Peacock's Garlic for Health, and 9 Dozen Bottles of Peacock's Pure Garlic Extract. Default decree of condemnation and destruction. (F. D. C. No. 1280, 1281. Sample Nos. 51987-D, 51988-D.)

The labeling of these products bore false and misleading representations regarding their efficacy in the conditions set forth below.

On January 2, 1940, the United States attorney for the Eastern District of Pennsylvania filed a libel against 18½ dozen bottles of the above-named products at Philadelphia, Pa., alleging that they had been shipped in interstate commerce on or about March 25 and on May 16, 1939, from Evanston, Ill., by New England Products, Inc.; and charging that they were misbranded.

Analyses showed that both products consisted essentially of water, sugar, salt, and 0.84 percent of garlic oil.

The product designated "Garlic for Health" was alleged to be misbranded in that its labeling bore representations that it was an efficacious, safe remedy for dogs, cats, foxes, etc., that it was a mild vermifuge, that treatment should be continued until worms were expelled, that it would keep dogs in good health and condition, and free from worms, that it was a protective food with great medicinal value, that it was effective in treating cases of worms, constipation, run-down condition, poor appetite, and skin ailments, that it would cleanse the intestinal tract by stimulating gastric secretions and promoting intestinal action, that its regular use would help maintain the digestive organs in a healthy condition, that it would add life and luster to the dog's coat, and help keep him free from eczema and other skin disorders, that its use by fur farms would cause the production of superior pelts, that it would relieve nervous tension in high-strung dogs, build up resistance, thus enabling pets to withstand exposure, and would help avoid coughs, colds, pneumonia, and other respiratory infections, that it would have a detoxifying effect and act as a soothing and healing agent on the intestinal tract, that two or three capsules a day for 2 days would act as a mild vermifuge after which one capsule daily would act as a conditioner and preventive of worms, giving the dog a strong constitution and cut down mortality among puppies tremendously, which representations were false and misleading, since the article was not efficacious for such purposes.

The product designated "Garlic Extract" was alleged to be misbranded in that its labeling bore representations that it consisted of pure garlic extract, was nature's safe remedy for dogs, cats, foxes, etc., was a mild vermifuge, that treatments should be continued until worms were expelled, and that one-half the amount indicated for treatment for worms, if given daily, would keep the dog in good condition and free from worms, that it was unsurpassed as a general conditioner, which representations were false and misleading since the article was not efficacious for such purposes.

On February 8, 1940, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.