179. Misbranding of Holford's Famous Inhaler. U. S. v. 294 Packages of Holford's Famous Inhaler. Default decree of condemnation and destruction. (F. D. C. No. 1845. Sample No. 7331–E.)

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

On April 22, 1940, the United States attorney for the Southern District of California filed a libel against 294 packages of Holford's Inhaler at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about February 13, 1940, by the Holford Co. from Minneapolis, Minn.; and charging that it was misbranded.

Analysis showed that the article was a mixture of plant material including eucalyptus leaves and lavender flowers, saturated with essential oils including mustard oil, eucalyptus oil, and camphor.

The article was alleged to be misbranded in that its labeling bore representations that it was efficacious in the treatment of catarrh, headaches, asthma, hayfever, sinus and many other troubles, headaches caused by eyestrain, nervousness, stomach trouble, inhaling vapors of gases, strong paints or similar causes; cold in the lungs, simple sore throat, constant coughing, asthma, tonsilitis, toothache and neuralgia in the jaws or temple, that its constant use was recommended for hay fever and catarrh, that on dusty dry days or when one has been sitting too long in a close stuffy room inhaling a few times would clear the head and dispel drowsiness; that inhaling the vapors at the first feeling of faintness would usually relieve fainting spells, that for those who have trouble arising in the morning due to sluggish or lazy feeling inhaling the vapors from the cork would give one a vigorous feeling; that it would afford quick relief from distress of minor troubles which affect the head or throat, which representations were false and misleading since the article was not efficacious for the purposes recommended.

On May 15, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

180. Misbranding of Nazene Drops for Nose and Throat. U. S. v. 66 Packages of Nazene Drops for Nose and Throat. Default decree of condemnation and destruction. (F. D. C. No. 1874. Sample No. 7111–E.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated below, and examination of the packages in which it was packed showed that they were only approximately one-fourth full.

On April 30, 1940, the United States attorney for the District of Arizona filed a libel against 66 packages of the above-named product at Phoenix, Ariz., alleging that the article had been shipped in interstate comerce by the Brunswig Drug Co. from Los Angeles, Calif., on or about August 3, 1939; and charging that it was misbranded.

Analysis showed that the article consisted of small proportions of ephedrine, chlorobutanol, menthol, and cinnamic aldehyde in a mineral-oil base.

It was alleged to be misbranded in that its labeling bore representations that it was a treatment for minor sore throat, for superficial inflammatory conditions of the nose and throat; that it was useful for huskiness, stuffiness of the head and similar superficial inflammatory conditions of the nose and throat, which were false and misleading since the article was not efficacious for the purposes so recommended.

It was alleged to be misbranded further in that the containers were so made, formed, or filled as to be misleading.

On July 22, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

181. Misbranding of Premo Nasal Drops. U. S. v. 426 Packages of Premo Nasal Drops. Default decree of condemnation and destruction. (F. D. C. No. 1741. Sample No. 622–E.)

The bottle and carton labels of this product bore false and misleading representations regarding its efficacy in the conditions indicated below. Furthermore, the bottles contained smaller quantities of the product than that declared on the label; and they occupied less than 33 percent of the capacity of the cartons.

On April 3, 1940, the United States attorney for the Northern District of Georgia filed a libel against 426 packages of Premo Nasal Drops at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about December 26, 1939, by the Premo Pharmaceutical Laboratories from New York, N. Y.; and charging that it was misbranded.

The article was alleged to be misbranded in that its labeling bore representations that it would aid in temporarily relieving the discomfort of nasal catarrh and that it was efficacious in the relief of mucous inflammation, which were false and misleading since it was not efficacious for the purposes for which it was so recommended.

It was alleged to be misbranded further in that the statements (bottle) "½ Fld. Oz." and (carton) "½ Fluid Ounce" were false and misleading since the volume was less than ½ fluid ounce. It was alleged to be misbranded further in that its containers were so made, formed, or filled as to be misleading.

On April 20, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

182. Misbranding of Medovapo Inhaler. U. S. v. 313 Retail Kits of Medovapo Inhaler. Default decree of condemnation and destruction. (F. D. C. No. 1008. Sample No. 46609–D.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated below. Moreover, it contained materially less benzoic acid than the amount declared on the label.

On November 22, 1939, the United States attorney for the Northern District of Illinois filed a libel against 313 kits of Medovapo Inhaler at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about July 22, 1939, by the Med-O-Vapo Co. from Minneapolis, Minn.; and charging that it was misbranded.

Examination showed that the article consisted of an inhaling device and a bottle of medicament consisting chiefly of alcohol (57.8 percent), benzoic acid (1.9 grains per fluid ounce), menthol, camphor, thymol, pine oil, and water.

It was alleged to be misbranded in that representations in the labeling that it was a modern inhaling treatment of hay fever, sinus pains, catarrhal congestion, and bronchitis; that the benefit of inhaling treatment for helping nature throw off germs was generally recognized by physicians and known by experience to many people; that most sufferers from sinus pains and catarrhal congestion find greatest relief in the application of heat as directly as possible to the affected region and that the article provided the most direct and effective method of applying heat to the affected sinus regions; that most users get relief after the first few inhalations; that in many cases it had helped to reduce the swelling and had assisted nature in draining the congested sinus cavities, thus releasing the pressure on the nerves which cause the pain; that Medovapo inhalations would usually help and generally had been found to be more effective than outside dry heat applications or open steam inhalation; that sore throat, bronchitis, and other similar afflictions from colds had also been treated with Medovapo inhalations to help reduce the swelling, loosen the mucus, and lessen the tightness; that the product offered a convenient, inexpensive means of breathing water-washed, pollen-free, medicated air at any time, wherever one might be; that by using hot water in the inhaler and adding a few drops of Medovapo Inhalant (or one's doctor's prescription) one would enjoy the additional benefits of mild soothing medication and heated vapor, which would have a flushing, cleansing action on the irritated membranes and help nature in eliminating the mucus and make the relief more lasting; that many hay fever sufferers had discovered that it helps greatly to start Medovapo treatment 2 or 3 weeks in advance of the usual hay fever season; that four 10-minute treatments daily during the season generally would keep them comfortable; that even with cold water the device was effective; that in cases where the nasal passages had become so irritated that they were too sensitive for such a mild medication as the Inhalant that hot or cold water might be used, then as the irritation was relieved one drop of the Inhalant might be used and later the amount increased; that it was advisable to use the device at least every night and morning the year round by those who experience symptoms similar to hay fever, because they are allergic to house dust, soap, feathers, and many other things that are in the air all year round; that allergic asthma sufferers had reported that four 10-minute treatments of the device daily would usually leave the passages so free that symptoms were not as severe as to cause any great distress and that the throat tube as well as the usual bulbs were used for this treatment; which representations were false and misleading with reference to the effects of the article in hay fever, disease conditions of the sinus, catarrhal congestion, bronchitis, sore throat, and allergic asthma.