Analyses of samples of the article showed that it consisted essentially of acetanilid (0.94 grain per tablet), caffeine, aloin, atropine sulfate, and capsicum.

The article was alleged to be misbranded: (1) In that its labeling failed to bear such adequate warnings as are necessary for the protection of users, against use in those pathological conditions or by children, where its use might be dangerous to health, since it might be dangerous to health when used by persons suffering from nausea, vomiting, abdominal pain, or other symptoms of appendicitis, or by children; and in that the labeling failed to bear adequate warnings against unsafe dosage or methods or duration of administration in such manner and form as are necessary for the protection of users, since frequent or continued use of this acetanilid-containing preparation might cause serious blood disturbances, anemia, or collapse, and since its use might result in dependence on a laxative. (2) In that the statements on the label, "Cold and Grippe Tablets Excellent for a feverish condition, coryza, hay fever, rhinitis, grippe, aching muscles, colds, influenza * * * acetanilid 2 gr.," were false and misleading since it was not an adequate treatment for the conditions named and since each tablet did not contain 2 grains of acetanilid. (3) In that its package container was so filled as to be misleading since the bottle was materially shorter than the package [carton].

On September 29, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

554. Misbranding of "Doctor's Daughter" Tablets (and Dr. Wilbur's Laxative Tablets). U. S. v. 5½ Dozen Packages of "Doctor's Daughter" Tablets. Default decree of condemnation and destruction. (F. D. C. No. 4779. Sample No. 56820–E.)

Each package of this product contained 50 white tablets wrapped in wax paper and an envelope labeled "Dr. Wilbur's Laxative Tablets," which contained 25 pink tablets. The labeling, in addition to failure to bear adequate warning statements, also failed to bear the required ingredient and quantity of contents statements.

On May 16, 1941, the United States attorney for the Southern District of New York filed a libel against 5½ dozen packages of "Doctor's Daughter" Tablets at New York, N. Y., alleging that the article had been shipped by Dr. John Wilbur Daughter Co. from Westerly, R. I., on or about April 16, 1941; and charging that it was misbranded.

Analyses of samples showed that the white tablets consisted essentially of calcium carbonate, sodium carbonate, and sodium bicarbonate; and that the pink tablets consisted essentially of belladonna alkaloids including atropine, and laxative plant drugs.

The article was alleged to be misbranded: (1) In that the labeling failed to bear adequate warnings against use in those pathological conditions or by children where its use might be dangerous to health, or against unsafe dosage or methods or duration of administration or application, in such manner and form, as are necessary for the protection of users, since the labeling did not warn that frequent or continued use might result in dependence upon laxatives and that the article should not be taken when suffering from nausea, vomiting, abdominal pain, or other symptoms of appendicitis. (2) In that the carton label did not bear the common or usual names of the active ingredients nor a statement of the quantity or proportion of belladonna alkaloids contained in the laxative tablets. (3) In that the envelope containing the laxative tablets did not bear a statement of the quantity or proportion of belladonna alkaloids nor did it bear the common or usual names of all the active ingredients, since "Exl" and "phodophyllui" did not inform that extract and podophyllum were meant. (4) In that the carton label did not bear an accurate statement of the quantity of contents, since no reference was made to the envelope containing the 25 laxative tablets.

On July 3, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

555. Misbranding of Starr's Wonderful M. L. & K. Pills. U. S. v. 8 Dozen Packages of Starr's Wonderful M. L. & K. Pills. Default decree of condemnation and destruction. (F. D. C. No. 4877. Sample No. 31996–E.)

The label of this product, in addition to failure to bear adequate directions for use and warning statements, also failed to bear the required ingredient and quantity of contents statements. Furthermore, the label bore false and misleading therapeutic claims.

On June 10, 1941, the United States attorney for the Northern District of Illinois filed a libel against the above-named product at Chicago, Ill., alleging

that it had been shipped on or about April 1, 1941, by the Starr Medicine Co. from San Francisco, Calif.; and charging that it was misbranded.

Analysis of a sample of the article showed that it consisted essentially of extracts of plant drugs including laxative plant drugs, coated with calcium carbonate.

The article was alleged to be misbranded: (1) In that the label failed to bear adequate directions for use since the dosage given was not appropriate for a laxative, namely, "Dose—1 to 2 at Bedtime." (2) In that the label failed to bear adequate warnings in such manner and form as were necessary for the protection of users, against use in those pathological conditions where its use might be dangerous to health, and against unsafe duration of administration, since the labeling failed to bear warnings that it was not to be taken when suffering from nausea, vomiting, abdominal pain, or other symptoms of appendicitis, and that continued use might result in dependence upon a laxative. (3) In that the following statements, appearing on the label, were false and misleading since it contained no ingredients which would constitute treatment for the conditions quoted: "Courage Manhood Nature Used In Weak Back, Liver, Kidney Complaints, Biliousness, * * * Cold, Fever, Headaches, Indigestion." (4) In that the label failed to bear the common or usual names of the active ingredients. (5) In that the label did not bear an accurate statement of the quantity of contents.

On August 25, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

556. Misbranding of T. S. B. Saline. U. S. v. 53 Cards, to each of which were attached 12 Envelopes, 27 Dozen 2½-Ounce Bottles, and 20 Dozen 8-Ounce Bottles of T. S. B. Saline. Default decree of condemnation and destruction. (F. D. C. No. 4753. Sample No. 42377-E.)

The labeling of this product failed to bear adequate warning statements and directions for use, it contained false and misleading therapeutic claims, and the quantity of contents statement "3 Dram" on the envelopes was inaccurate since the contents varied from 3.97 to 4.82 drams, and on the bottle label it was inconspicuously placed.

On May 13, 1941, the United States attorney for the Western District of Pennsylvania filed a libel against the above-named product at Erie, Pa., alleging that it had been shipped on or about March 18, 1941, by T. S. Burns & Boys Co. from Buffalo, N. Y.; and charging that it was misbranded.

Analysis of a sample of the article showed that it consisted essentially of a mixture of partially dehydrated Epsom salt and Glauber's salt, with traces of magnesium carbonate and sodium chloride.

The article was alleged to be misbranded: (1) In that the labeling failed to bear adequate directions for use, since the statement appearing on the bottle labels, "Directions: Children According to age, use one-half to one teaspoonful, dissolved in water," did not set forth the dosage for different age groups and such statement did not indicate that the article would be dangerous to health when used by very young children. (2) In that the labeling failed to bear adequate warnings against use in those pathological conditions or by children where its use might be dangerous to health, or against unsafe dosage or duration of administration in such manner and form as are necessary for the protection of users, since the envelopes carried no warning with reference to avoidance of the article in abdominal pain, nausea, vomiting, and other symptoms of appendicitis, nor against frequent or continued use when such use might result in dependence on the use of a cathartic to move the bowels; the bottle labeling carried no warning against frequent or continued use and the warning to avoid laxatives in case of severe abdominal pains was not adequate to warn the purchaser that laxatives should not be used in case of abdominal pain, nausea, and vomiting, which might be symptoms of appendicitis. (3) In that statements appearing in the labeling, which represented that it would be efficacious as a laxative and intestinal cleanser, that it would be efficacious in the treatment of rheumatism, constipation, indigestion, colds, skin rash, biliousness, and many conditions arising from faulty elimination; and that it would be helpful to help Nature help itself, were false and misleading since it would not be efficacious for such purposes. (4) In that magnesium carbonate ("Magnes. Carb."), listed on all the labels as an active ingredient, was not an active ingredient since it was present in traces only. (5) In that the labels failed to bear the common or usual name of each ingredient since "Soda. Sulph.," on the envelope and 2½-ounce bottle label, was not the common or usual name for sodium sulfate; the term "Magnes. Sulph.," appearing on the envelopes and the 2½-ounce bottle label, and the term "Mag-