

memory, disturbed sleep, insomnia, fatigue (chronic), nervous irritation, mental stupor, difficult concentration, neuralgia and neuritis, constant backache, general weakness, weakened abdominal muscles leading to obstinate constipation, arthritis, muscular rheumatism and gout, chronic bleeding gums, foul taste, fetid, enlarged tonsils, inflammation of the tonsils, fetid breath (halitosis), white ulcers in the mouth (thrush), fetid nasal discharge, loss of hair, quinsy, asthma, bronchial asthma, bronchitis, hardening of the lungs, dullness or heaviness of the eyes, discharge of pus from the eyes, affected vision, sac under the eye, brown rings under the eyes, hardening of the crystalline lens, soreness, cataract, high blood pressure, low blood pressure, enlargement (dilation) of the blood vessels, hardening (induration) of the arteries or arteriosclerosis, varicose veins, toxic blood (uremia), bacterial infection (septicemia), anemias, including chlorosis, degeneration (fatty) of the heart, fainting spells, inflammation of the heart tissues, biliousness, hardening of the liver, torpid liver, abscess of the liver, degeneration of the liver, enlargement of the spleen, jaundice, inflammation of the gall bladder, gall stones, tenderness of the abdomen, distension of the abdomen, abdominal pains, dyspepsia, inflammation of the stomach (gastritis), cancer of the stomach, inflammation of the intestines (enteritis), acute or chronic diarrhea, dysentery, kinks in the colon, catarrh of the intestine, constipation, tuberculosis of the bowels, acidosis, catarrh, strong body odor, rheumatism, depleted body resistance, chronic ulcers, chronic digestive disturbances, systemic toxemia, and premature aging.

On September 16, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1087. Misbranding of Chek-A-Cold. U. S. v. 138 Bottles of Chek-A-Cold. Default decree of condemnation and destruction. (F. D. C. No. 9901. Sample No. 23247-F.)

On or about May 13, 1943, the United States attorney for the District of New Jersey filed a libel against 138 bottles of Chek-A-Cold at Merchantville, N. J., alleging that the article had been shipped on or about February 19, 1943, from Philadelphia, Pa., by the Hance Brothers and White Co.; and charging that it was misbranded. The article was labeled in part: "Each Fluid Ounce Contains: Chloroform . . . 4 minims Alcohol by vol . . . 2 percent Alkaloids of Hyoscyamus .0003 gr. Contains Extract of Cod Liver Oil (Vitamins A and D), Ipecac, Hyoscyamus, Horehound, Wild Cherry, Tar, Spikenard, Tolu, Menthol, Lobelia, White Pine and Tartar Emetic."

Examination showed that the article contained, among other ingredients, 1.17 minims of chloroform per fluid ounce, a small proportion of alcohol, and tartar emetic, and that Hyoscyamus alkaloids, if present at all, were in a proportion too small to permit detection.

The article was alleged to be misbranded in that the designations "Chek-A-Cold," on the carton, and "Chek-A-Col," on the bottle label, were false and misleading since the article would not be effective in checking colds; and in that its label failed to bear the quantity or proportion of chloroform contained in it, since the statement on the label, "Each Fluid Ounce Contains: Chloroform . . . 4 minims," was not a correct statement of the chloroform actually contained in the article.

On July 10, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1088. Misbranding of Pinee Preparation for Colds. U. S. v. 12 Dozen Bottles of "Pinee Preparation Colds." Decree of condemnation and destruction. (F. D. C. No. 9899. Sample No. 25000-F.)

Six samples of this product were examined and were found to contain the following quantities of acetanilid: 2.88, 3.40, 4.83, 3.29, and 3.69 grains per fluid ounce. The product was also found to contain aromatic spirits of ammonia, an alkaloid-bearing drug such as belladonna, cascara sagrada, menthol, and camphor.

On or about May 10, 1943, the United States attorney for the Eastern District of Virginia filed a libel against 12 dozen bottles of the above-named product at Portsmouth, Va., alleging that the article had been shipped on or about November 20, 1942, from Kinston, N. C., by the Pinee Chemical Co.; and charging that it was misbranded.

It was alleged to be misbranded in that the statement "Colds," appearing on its label, was false and misleading since the article would not be effective in the

treatment of colds; and in that the label did not bear a statement of the quantity or proportion of acetanilid present since the statement "* * * in each fluid ounce: acetanilid 3 grs" was incorrect.

On June 30, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1089. Misbranding of Py-Ro. U. S. v. 6 $\frac{1}{2}$ Dozen Bottles and 7 $\frac{1}{2}$ Dozen Bottles of Py-Ro. Default decree of destruction. (F. D. C. No. 10014. Sample No. 3374-F.)

On or about June 21, 1943, the United States attorney for the Western District of Missouri filed a libel against 6 $\frac{1}{2}$ dozen bottles, containing 4 fluid ounces each, and 7 $\frac{1}{2}$ dozen bottles, containing 8 fluid ounces each, of Py-Ro, at Kansas City, Mo., alleging that the article had been shipped on or about April 3, 1943, from New York, N. Y., by Oran Products; and charging that it was misbranded.

Examination showed that the article consisted essentially of sodium hypochlorite, chlorthymol, and oil of peppermint dissolved in water.

The article was alleged to be misbranded in that the name, "Py-Ro," and the statements on the label, "Py-Ro * * * Using cotton saturated with Py-Ro, rub your gums * * * place on each side of affected parts of gums * * * If your gums are too tender due to inflammation * * * Swirl Py-Ro from one side of mouth to the other to force it down into gums and between the teeth * * * As inflammation decreases diminish water until full strength can be used. (This method tends to allay the inflammation of the gums which is usual at beginning of treatment)," were false and misleading, since the name and statements represented and suggested that the article was an effective treatment for pyorrhea, whereas it was not so effective; and in that the statement, "for Trench Mouth Symptoms," appearing on the label, was false and misleading since the article was not an effective treatment for trench mouth.

On August 4, 1943, no claimant having appeared, judgment was entered ordering the destruction of the product.

1090. Misbranding of U-X Improved Shaving Medium. U. S. v. 45 $\frac{1}{2}$ Dozen Packages of U-X Improved Shaving Medium. Tried to the court. Decree of condemnation and destruction. (F. D. C. No. 4098. Sample No. 19198-E.)

On April 1, 1941, the United States attorney for the Western District of Pennsylvania filed a libel against 45 $\frac{1}{2}$ dozen packages of the above-named product at Pittsburgh, Pa., alleging that the article had been shipped on or about October 4 and 21, 1940, by the U-X Manufacturing Co., Inc., from New York, N. Y.; and charging that it was misbranded under the provisions of the law applicable to cosmetics, as reported in the notices of judgment on cosmetics, No. 104.

On May 2, 1941, the U-X Manufacturing Co., Inc., claimant, filed an answer denying that the article was a cosmetic and was misbranded, and on June 7, 1941, pursuant to the stipulation of the parties, the case was ordered removed to the United States District Court for the District of Connecticut. On or about December 10, 1941, the United States attorney for the District of Connecticut filed an amendment to the libel, charging that the article was also misbranded under the provisions of the law applicable to drugs.

Examination showed that the article consisted essentially of magnesium carbonate, peroxide, such as magnesium peroxide and urea peroxide, together with small amounts of soap, gum arabic, and milk sugar.

It was alleged to be misbranded as a drug in that the following statements, appearing on the carton and in a circular contained in the package, were false and misleading since they represented that the article was efficacious for the purposes recommended, whereas it was not efficacious for such purposes: "U-X is absolutely non-irritating. Highly recommended by the medical profession for its skin protecting soothing properties. * * * Redness, smarting and chinchafe will disappear with use of U-X. * * * allowing time for the skin to rid itself of all other substances with which it may have become impregnated by ordinary shaving methods. * * * 'My skin was scraped and chafed. Since using U-X my skin is healthy and clear.' * * * 'My skin is allergic to a pimple condition and U-X is most beneficial.'"

An answer denying the allegations set forth in the amendment to the libel was subsequently filed by the claimant, together with a motion and petition dated February 13, 1942, for the removal of the case to the Southern District of New York. The motion was consented to by the Government's attorney and, on February 16, 1942, an order was entered for the removal of the case to the United States district court for that district. On February 23, 1942, a motion to revoke