

further in that the statement on its labels, "indicated in the treatment of skin eruptions resulting from faulty elimination," was misleading since a purchaser had no way of knowing whether skin eruptions were due to faulty elimination or to some other condition.

The Kemp's Vermifuge (liquid) was labeled in part: "Formula per 100 c. c.—Active Ingredients: Oil chenopodium 3.40 c. c., castor oil 82.80 c. c., and the matter extracted from: pomagranate bark 2.80 gms., spigelia root 1.80 gms., senna leaves 1.10 gms. * * * Dose: Children 1 to 2 years, 30 Drops (1.20 cc.) Children 2 to 5 years, 1 Teaspoonful 4 c. c. Children 5 to 8 years, 2 Teaspoonfuls 8 c. c. Children 8 to 12 years, 3 Teaspoonfuls 12 c. c. Adults 1 Tablespoonful 15 c. c. Instructions: Take at night on retiring. If desired result is not produced by morning, the dose may be repeated." Examination of the article indicated that it possessed essentially the composition stated upon its label. It was alleged to be misbranded in that, by reason of its content of Chenopodium oil, it was dangerous to health when used in the dosage and with the frequency prescribed, recommended, and suggested in its labeling. It was alleged to be misbranded further in that the following statements appearing in the circular entitled "Kemp's Vermifuge" were misleading: "Usual Symptoms of The Presence of Intestinal Worms. The patient loses color and weight and his abdomen becomes swollen and hard, he complains of pains in the stomach and in the region of the navel; his appetite is capricious and he craves sweets; he scratches his nose almost continuously or grinds his teeth in his sleep." The conditions mentioned above might have been due to various causes other than the presence of intestinal worms, and they might have led to the use of the article in conditions for which it would be of no value.

On April 17, 1945, no claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed.

1452. Misbranding of Nion D Capsules. U. S. v. 6 Cases of Nion D Capsules. Default decree of condemnation and destruction. (F. D. C. No. 14424. Sample No. 73943-F.)

On November 15, 1944, the United States attorney for the District of Arizona filed a libel against 6 cases, each containing 6 cartons of 100 capsules each, of Nion D Capsules at Phoenix, Ariz., alleging that the article had been shipped on or about August 4, 1944, by the Nion Corporation, Los Angeles, Calif. The article was represented on its label as containing 50,000 U. S. P. units of vitamin D per capsule.

It was alleged to be misbranded in that it was dangerous to health when used in the dosage and with the frequency and duration prescribed, recommended, and suggested by its labeling, "One capsule four times a day for the first month, increasing a capsule a day per week up to ten capsules per day."

On March 20, 1945, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1453. Misbranding of Boyle Vitamin D Capsules. U. S. v. 13 Bottles of Boyle Vitamin D Capsules. Default decree of condemnation and destruction. (F. D. C. No. 14013. Sample No. 74290-F.)

On October 11, 1944, the United States attorney for the District of Arizona filed a libel against 13 100-capsule bottles of the above-mentioned product at Phoenix, Ariz., alleging that the article had been shipped on or about July 8, 1944, by Boyle and Co., Los Angeles, Calif.

Examination showed that the article contained approximately 50,000 U. S. P. units of vitamin D per capsule.

The article was alleged to be misbranded in that it was dangerous to health when used in the dosage and with the frequency and duration prescribed, recommended, and suggested by the labeling, namely, "One capsule 4 times a day for first month, increasing a capsule a day per week up to 10 capsules per day."

On November 21, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**DRUGS ACTIONABLE BECAUSE OF DECOMPOSITION OR
CONTAMINATION WITH FILTH**

1454. Adulteration and misbranding of Mela-Vim. U. S. v. 650 Bottles of Mela-Vim. Default decree of condemnation and destruction. (F. D. C. No. 14369. Sample No. 63930-F.)

On November 16, 1944, the United States attorney for the Southern District of Florida filed a libel against 650 bottles of Mela-Vim at Jacksonville, Fla., alleging

that the article had been shipped on or about September 12, 1944, from Newburgh, N. Y., by Louis Sampanis.

Examination showed that the article consisted essentially of water with extracts of plant materials and traces of iron and ammonium compounds, and that it was contaminated with mold.

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed substance. It was alleged to be misbranded in that certain statements on the bottle labels and on the labels and circulars which were shipped with the article were false and misleading since they represented and suggested that the article would be effective in the treatment of anemia, diabetes, eruptions of the skin, high or low blood pressure, fistula of the arteries, varicose veins, eczema, pimples, ulcers of the stomach, hemorrhoids, rheumatism, neurasthenia, unhealthy blood, menstrual disorders, underdeveloped, high-strung, or weak children, poor circulation, chronic venereal diseases, syphilis, and gonorrhea. The article contained no ingredients or combination of ingredients which would be effective in the treatment of the disease conditions mentioned.

On November 29, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1455. Adulteration of mouse ear herb. U. S. v. 1 Metal Container of Mouse Ear Herb. Default decree of condemnation and destruction. (F. D. C. No. 13668. Sample No. 86850-F.)

On September 20, 1944, the United States attorney for the Northern District of Indiana filed a libel against 1 metal container containing about 24 pounds of mouse ear herb at Hammond, Ind., alleging that the article had been shipped on or about August 8, 1944, by J. L. Hopkins & Co., New York, N. Y.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments and insect fragments.

On November 13, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1456. Adulteration of rhubarb root. U. S. v. 1 Barrel of Rhubarb Root. Default decree of condemnation and destruction. (F. D. C. No. 13713. Sample No. 90391-F.)

On September 20, 1944, the United States attorney for the Eastern District of Missouri filed a libel against 1 barrel of rhubarb root at St. Louis, Mo., alleging that the article had been shipped on or about August 4, 1944, by J. L. Hopkins & Co., from New York, N. Y.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance by reason of the presence of insect fragments and rodent hair fragments.

On November 27, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1457. Adulteration of corn silk. U. S. v. 1,418 Pounds of Corn Silk. Default decree of condemnation and destruction. (F. D. C. No. 13818. Sample No. 85025-F.)

On September 23, 1944, the United States attorney for the Eastern District of Pennsylvania filed a libel against 1,418 pounds of corn silk at Philadelphia, Pa., alleging that the article had been shipped on or about August 17, 1944, from New York, N. Y., by J. L. Hopkins and Co.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance by reason of the presence of whole insects, beetle eggs, insect fragments, mites, thrips, and insect excreta pellets.

On November 22, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS

1458. Adulteration and misbranding of Broncotol and tincture of nux vomica. U. S. v. Standard Pharmaceutical Corporation. Plea of guilty. Fine, \$1,000 and costs. (F. D. C. No. 14296. Sample Nos. 35938-F, 35941-F.)

On February 23, 1945, the United States attorney for the District of Maryland filed an information against the Standard Pharmaceutical Corporation, Baltimore, Md., alleging shipment of quantities of Broncotol and tincture of nux vomica from the State of Maryland into the State of Georgia on or about January 14 and February 3, 1944.