

the article would be effective in the treatment of auto-intoxication, bad breath, biliousness, fatigue, flatulence, headaches, and sour stomach; and that it would be effective in suppressing putrefaction and in combating infection. The article would not be effective for those purposes.

DISPOSITION: July 3, 1946. No claimant having appeared, judgment was entered ordering that the product be destroyed.

1933. Misbranding of Laken's 9 Drops Brand Capsules and Liquid. U. S. v. 6¾ Dozen Packages of Laken's 9 Drops Brand Capsules and Liquid. Default decree of condemnation and destruction. (F. D. C. No. 19671. Sample No. 65305-H.)

LABEL FILED: On or about April 23, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about January 29, 1946, by the Ambler Drug Co., from Ambler, Pa.

PRODUCT: 6¾ dozen packages of *Laken's 9 Drops Brand Capsules and Liquid* at Atlantic City, N. J. Examination showed that the capsules consisted essentially of aspirin, acetophenetidin, and caffeine; and that the liquid consisted essentially of sodium salicylate, potassium iodide, water, and a trace of an alkaloid.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements and the design of a man in pain, appearing in a circular entitled "Facts everyone should know about," which circular was enclosed in the packages of the article, were false and misleading since they represented and suggested that the article would be effective in the treatment of rheumatism, arthritis, backache, swollen joints, lumbago, neuritis, rheumatic pains, and stiff joints; that it would be effective as an analgesic to get at the main cause of so-called rheumatism; and that it would be effective in the treatment of the suffering and discomfort associated with common colds. The article would not be effective for such purposes.

DISPOSITION: May 17, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1934. Misbranding of Ear-OL. U. S. v. 5 Dozen Packages of Ear-OL. Default decree of condemnation and destruction. (F. D. C. No. 19423. Sample No. 25155-H.)

LABEL FILED: March 19, 1946, Southern District of Mississippi.

ALLEGED SHIPMENT: On or about January 18, 1946, from Dallas, Tex., by the First Texas Chemical Manufacturing Co.

PRODUCT: 5 dozen packages of *Ear-OL* at Jackson, Miss. Examination disclosed that the product consisted essentially of carbolic acid (phenol), benzocaine (anesthesin), menthol, boric acid, and glycerin.

NATURE OF CHARGE: Misbranding, Section 502 (a), the statement, "Suggested in the temporary relief of simple earache," was false and misleading since the article would not be effective in the treatment of earache.

DISPOSITION: May 9, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1935. Misbranding of V-T Preparation. U. S. v. 228 Bottles of V-T Preparation, and 1,494 Circulars. Default decree of condemnation and destruction. (F. D. C. No. 18967. Sample No. 24738-H.)

LABEL FILED: January 10, 1946, Southern District of Mississippi.

ALLEGED SHIPMENT: On or about October 10, 1945, by the T-Lax Products Co., from Birmingham, Ala.

PRODUCT: 228 bottles of *V-T Preparation* at Leland, Miss., together with 1,494 circulars entitled "Vitamins May Mean Life or Death." Analysis showed that the product contained not more than 6.8 grains per fluid ounce of iron and ammonium citrate and not more than 3.05 grains per fluid ounce of calcium hypophosphite.

LABEL, IN PART: "V-T Preparation * * * Each Fluid Ounce Contained When Packed Vitamin B₁ (Thia. Chlor.) * * * 2000 USP Units, Liquid Vitamin B Complex * * * 2 Grains, Liver Extract * * * 1 Grain, Iron and Ammonium Citrate * * * 8 Grains, Calcium Hypophosphite * * * 4 Grains, Manganese Citrate * * * 1 Grain, Copper Proteinate * * * 1/40 Grain, Malt Extract * * * 72 Grains."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the bottle label and in the circulars were false and misleading since they repre-

sented and implied that the article contained 8 grains of iron and ammonium citrate and 4 grains of calcium hypophosphite per fluid ounce; that it would assist the body in the formation of red blood corpuscles; that it would build weight and strength; and that it would be efficacious in the cure, mitigation, treatment, and prevention of lost appetite, indigestion, after-eating pains, gas, bloating, belching, nausea, sick headache, heartburn, constipation, biliousness, spots before the eyes, backache, loss of energy and vitality, too frequent kidney action, arm and leg pains, bad blood, bad color, boils, pimples, lost weight, stiff joints, sore muscles, rheumatism, nervousness, a tired-out feeling, colds, infection, brittle finger nails, despondency, and irritability. The article did not contain the declared proportions of iron and ammonium citrate and calcium hypophosphite; and it would not be effective to produce the benefits stated and implied.

The article was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: May 21, 1946. No claimant having appeared, judgment of condemnation was entered and the product and circulars were ordered destroyed.

1936. Misbranding of Cal-O-Dine. U. S. v. 49 Bottles of Cal-O-Dine, and 375 Leaflets. Default decree of condemnation and destruction. (F. D. C. No. 18713. Sample No. 27869-H.)

LIBEL FILED: January 7, 1946, Western District of Washington.

ALLEGED SHIPMENT: From Alameda, Calif., by the Cal-O-Dine Laboratories. The product was shipped on or about August 17, 1945. The leaflets had been shipped on or about October 12, 1943.

PRODUCT: 49 $\frac{1}{2}$ -gallon bottles of *Cal-O-Dine* at Seattle, Wash., together with 375 leaflets entitled "The Mysterious ingredient of sea-water." Examination showed that the product consisted essentially of small proportions of calcium, iron, and iodine compounds dissolved in sea water.

LABEL, IN PART: (Leaflets) "The Mysterious ingredient of sea-water, which must be present in addition to the salts and minerals of sea water, has long been a subject of interest for marine biologists. The lack of this ingredient in artificial sea-water results in inability of the aquarium to support marine life. The inorganic composition of sea water is, in general terms, similar to the composition of extracellular fluids in the body. Like the body, the ocean maintains a constant osmotic, ionic and acid-base structure and a nearly constant temperature, and it uses for these purposes the same materials as those found in the body. The concentration of the minerals in sea-water is over three times that of the blood serum."

NATURE OF CHARGE: Misbranding, Section 502 (a), the statements in the leaflets quoted above, when read in connection with the directions for ingestion of sea water, (bottle label) "Directions Six teaspoonfulls (one ounce) daily, 2 with each meal in water, fruit or vegetable juice. Cal-O-Dine is scientifically designed to supplement the diet with desirable amounts of three important minerals, Calcium, Iron and Iodine and when taken as directed supplies Calcium—375 milligrams 50% minimum daily requirement Iron—10 milligrams 100% minimum daily requirement Iodine—0.1 milligrams 100% minimum daily requirement Net Contents 64 Ounces Price \$10.00," were misleading since the statements and directions created the impression that the ingestion of sea water would serve some useful purpose. The ingestion of sea water would serve no useful purpose.

The article was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: March 25, 1946. No claimant having appeared, judgment of condemnation was entered and the product and leaflets were ordered destroyed.

1937. Misbranding of Red Hearts Tonic. U. S. v. 4½ Dozen Bottles of Red Hearts Tonic, and 300 Envelopes. Default decree of condemnation and destruction. (F. D. C. No. 19483. Sample No. 24599-H.)

LIBEL FILED: April 2, 1946, Northern District of Alabama.

ALLEGED SHIPMENT: On or about January 26, 1946, by the Reese Chemical Co., from Cleveland, Ohio.

PRODUCT: 4½ dozen bottles of *Red Hearts Tonic* at Birmingham, Ala., together with 300 envelopes entitled "If You Lack Ambition to 'Go Places and Do Things' Try Red Hearts." Examination showed that the article consisted essentially of iron sulfate with a small amount of manganese sulfate.