

10 and December 18, 1944, and a number of booklets entitled "Vitamin Mineral and Glandular Therapy" were shipped on or about February 23, 1944.

PRODUCT: 9 90-tablet bottles of *calcium pantothenate*, 19 60-tablet bottles of *Hy-De Tablets*, 18 bottles, each containing 100 perles, of *vitamin E*, 17 60-capsule bottles of *extract of garlic*, 17 90-tablet bottles of *vitamin A & D*, 15 1-ounce bottles of *ferrous sulfate solution*, 14 180-tablet bottles of *kelp*, 13 300-tablet bottles of *Alfa-Yerba Tea*, 56 100-tablet bottles of *Improved B-Complex Tablets*, 16 90-tablet bottles of *Hy-C Tablets*, and 19 90-tablet bottles of *Sylla-Tron Tablets* at Kansas City, Mo., together with the above-named booklets.

LABEL, IN PART: "Calcium Pantothenate (Gray Hair Factor) * * * Four Tablets Contain: Calcium Pantothenate 6 mg. Vitamin B-1 400 I. U. Strained 'K' Yeast 20 Grains"; "Ferrous Sulphate Solution An astringent, Detergent, concentrate of Ferrous Sulphate. To be used as directed by a Specialist." The material portions of the labels of the other products are quoted in notice of judgment No. 2033.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the accompanying booklets were false and misleading since the articles would not be effective for the purposes claimed. These statements represented and suggested that the *ferrous sulfate solution* possessed detergent properties and that the *calcium pantothenate tablets* would be effective to restore the original color of gray hair, to increase the elasticity of fingernails, and to improve the skin. Further misbranding, Section 502 (f) (1), the labeling of the *ferrous sulfate solution* failed to bear adequate directions for use.

The nature of the misbranding of the other products is indicated in notice of judgment No. 2033, which reports prosecution of the shipper under Section 301 (a).

DISPOSITION: April 23, 1945. The Ryer Dietary Supplements Co., Inc., claimant, having filed its claim and answer, the case came on for hearing before the court. Judgment of condemnation was entered and it was ordered that the products be destroyed.

DRUGS ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

2011. Action to restrain the interstate shipment of Hart's Compound Asthma Medicine. U. S. v. A. Thomas Hart (Hart's Swedish Asthma Medicine Co. and Hart's Asthma Medicine Co.). Permanent injunction granted. Defendant subsequently adjudged guilty of contempt, fined \$200, and sentenced to 6 months in jail; jail sentence suspended and defendant placed on probation. (Inj. No. 61.)

COMPLAINT FILED: December 1, 1943, Western District of New York, against A. Thomas Hart, trading as the Hart's Swedish Asthma Medicine Co. and the Hart's Asthma Medicine Co., at Buffalo, N. Y. The complaint alleged that the defendant had been shipping in interstate commerce since April 22, 1941, quantities of the above-named drug which were adulterated.

NATURE OF CHARGE: Adulteration, Section 501 (a), the drug consisted in whole or in part of a filthy substance, namely, moldy medicine.

PRAYER OF COMPLAINT: That the defendant and his agents be perpetually enjoined from the commission of the acts complained of.

DISPOSITION: On December 1, 1943, an order was issued to the defendant to show cause why an injunction pendente lite should not be granted. On December 6, 1943, the defendant appeared but made no opposition to the granting of such injunction, and the court ordered that the injunction issue. On December 31, 1943, the defendant having failed to answer or otherwise plead to the complaint, an order was entered perpetually enjoining and restraining the defendant from the interstate shipment of *Hart's Compound Asthma Medicine* until such time as such product should comply with the law. The defendant was cited for contempt on April 24, 1944, for a violation of the injunction, and on May 8, 1944, the court ordered that the defendant return from the channels of interstate commerce the medicine which had been shipped in violation of the injunction, and that he cause its destruction. The defendant was again cited for contempt on August 21, 1945, and at the conclusion of the hearing on the matter on August 27, 1945, the court imposed against the defendant a fine

of \$200 and a suspended sentence of 6 months in jail and placed him on probation.

2012. Adulteration of chamomile flowers. U. S. v. 4 Bags of Chamomile Flowers. Default decree of condemnation and destruction. (F. D. C. No. 20427. Sample No. 45940-H.)

LIBEL FILED: July 24, 1946, Northern District of California.

ALLEGED SHIPMENT: On or about June 6, 1946, by E. Meer and Co., Inc., from New York, N. Y.

PRODUCT: 4 50-pound bags of *chamomile flowers* at San Francisco, Calif.

LABEL, IN PART: "Hung Type Chamomile Flowers."

NATURE OF CHARGE: Adulteration, Section 501 (a), the product consisted in whole or in part of a filthy substance by reason of the presence of insects, snail shells, and fragments of dirt.

DISPOSITION: October 24, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2013. Adulteration of Hood-Lax. U. S. v. 3 Packages of Hood-Lax. Default decree of condemnation and destruction. (F. D. C. No. 19993. Sample No. 6516-H.)

LIBEL FILED: June 5, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about January 31, 1946, by the Cal-Par Corporation, also known as the Hood Products Corporation, from New York, N. Y.

PRODUCT: 3 5-ounce packages of *Hood-Lax* at Jersey City, N. J.

LABEL, IN PART: "Hood-Lax Active Ingredients: Wheat Germ and Plantago."

NATURE OF CHARGE: Adulteration, Section 501 (a) (1), the article consisted in whole or in part of a filthy substance by reason of the presence of larvae, insect fragments, and rodent hair fragments; and, Section 501 (a) (2), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

The libel alleged also that another product, known as *Cal-Par*, was adulterated under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: October 28, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DRUG ACTIONABLE BECAUSE OF THE PRESENCE OF A NONCERTIFIED COAL-TAR COLOR

2014. Adulteration of Cornocide (corn treatment). U. S. v. 36 Cartons of Cornocide. Default decree of condemnation and destruction. (F. D. C. No. 20320. Sample No. 8580-H.)

LIBEL FILED: July 3, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about May 23, 1946, by the Denver Products Corporation, from Long Island City, N. Y.

PRODUCT: 36 cartons, each containing a bottle of liquid and several corn pads at Newark, N. J.

LABEL, IN PART: "Cornocide Liquid Corn Treatment."

NATURE OF CHARGE: Adulteration, Section 501 (a) (4), the bottle of liquid contained, for purposes of coloring only, the coal-tar colors, dimethyl-aminoazobenzene (Butter Yellow, Colour Index #19) and tolylazotolylazo beta-naphthol (Sudan IV, Colour Index #258), which had not been listed as harmless and suitable for use in drugs for purposes of coloring only, and they were other than ones from batches that had been certified in accordance with the regulations.

DISPOSITION: August 7, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.