

**ALLEGED SHIPMENT:** On or about September 20 and October 1, 1946, by B. Ostroff, from Pittsburgh, Pa.

**PRODUCT:** *Ramol*. 1 drum at Salem, Ohio, and 1 drum at Cleveland, Ohio. Each drum contained 30 gallons. Examination showed that the product was mineral oil, U. S. P.

**LABEL, IN PART:** "Ramol No. 350 U. S. P."

**NATURE OF CHARGE:** Misbranding, Section 502 (e) (1), the article was not designated solely by a name recognized in an official compendium, and its label failed to bear the common or usual name of the article, i. e., mineral oil.

**DISPOSITION:** December 16, 1946, and January 9, 1947. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

### DRUGS ACTIONABLE BECAUSE OF FAILURE TO BEAR ACCURATE STATEMENTS OF THE QUANTITY OF THE CONTENTS

**2149. Misbranding of Compound Flaxseed and Wild Cherry Cough Syrup and White Pine and Tar Compound. U. S. v. 10 Cases, etc.** (F. D. C. No. 22299. Sample Nos. 57664-H, 57665-H, 57670-H, 57674-H, 57687-H, 57688-H.)

**LABEL FILED:** February 21, 1947, District of Maine.

**ALLEGED SHIPMENT:** On or about November 7, 1946, by the Boston Drug and Chemical Co., from Boston, Mass.

**PRODUCT:** *Cough syrup*. 10 cases containing 480 bottles and 15 cases containing 864 bottles at Portland, Maine.

**LABEL, IN PART:** "Compound Flaxseed and Wild Cherry Cough Syrup [or "White Pine and Tar Compound"] Contents 3 Fluid Ounces The Caron Company Distributor Portland, Maine."

**NATURE OF CHARGE:** Misbranding, Section 502 (b) (2), the labels of the articles failed to bear accurate statements of the quantity of the contents, since both products were short-volume.

**DISPOSITION:** April 15, 1947. The Boston Drug and Chemical Co., Brookline, Mass., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the products were ordered released under bond, conditioned that they be relabeled or that the containers be refilled so as to comply with the requirements of the law, under the supervision of the Federal Security Agency.

**2150. Misbranding of Lucille Laner's Pressing Oil and Lucille Laner's Tar Treatment. U. S. v. 247 Tins \* \* \*. (F. D. C. No. 19445. Sample Nos. 12759-H, 12760-H, 56768-H, 56769-H.)**

**LABEL FILED:** March 18, 1946, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about December 1, 1945, by Madam Lillian, from New York, N. Y.

**PRODUCT:** 247 2-ounce tins of *Lucille Laner's Pressing Oil* and *Lucille Laner's Tar Treatment* at Roxbury, Mass. The product was shipped unlabeled. The tins contained approximately 1½ ounces, and were labeled "2 Oz." after receipt by the consignee.

**LABEL, IN PART:** "Lucille Laner's Pressing Oil," or "Lucille Laner's Tar Treatment."

**NATURE OF CHARGE:** Misbranding, Section 502 (b) (1) and (2), (when shipped) the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents.

The article was alleged also to be misbranded under the provisions of the law applicable to cosmetics, as reported in notices of judgment on cosmetics, No. 146.

**DISPOSITION:** April 29, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

# FEDERAL SECURITY AGENCY

## FOOD AND DRUG ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

2151-2200

#### DRUGS AND DEVICES

The cases reported herewith were instituted in the United States district courts by the United States attorneys acting upon reports submitted by direction of the Federal Security Administrator.

OSCAR R. EWING, *Administrator, Federal Security Agency.*

WASHINGTON, D. C., *December 22, 1947.*

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#### DRUGS ACTIONABLE BECAUSE OF POTENTIAL DANGER WHEN USED ACCORDING TO DIRECTIONS

**2151. Misbranding of Yuk-Air Compound. U. S. v. Albert Hassman. Motion to dismiss indictment denied. Plea of guilty. Fine, \$800 and costs. (F. D. C. No. 14285. Sample Nos. 49064-F, 50177-F, 59721-F.)**

**INDICTMENT RETURNED:** February 13, 1945, Northern District of Ohio, against Albert Hassman, president of Universal Drug Products, Inc., Cleveland, Ohio.

**ALLEGED SHIPMENT:** Between the approximate dates of February 5 and 18, 1944, from the State of Ohio into the States of Michigan, Indiana, and West Virginia.

**PRODUCT:** Analysis disclosed that a portion of the *Yuk-Air Compound* was a colorless liquid consisting essentially of oil of turpentine and that the remainder of the product was a yellow liquid, some consisting of oil of eucalyptus and some consisting essentially of oil of eucalyptus and oil of turpentine.

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements on the label of the article, in accompanying circulars entitled "*Yuk-Air Daily*, Vol. 1, Universal Edition, 1944," and in accompanying placards were false and misleading since they represented and suggested that the article would be safe for use on every part of the body; that it would be appropriate for use generally as

\* For new drug shipped without effective application, see No. 2151; failure to bear a label containing the place of business of the manufacturer, packer, or distributor, No. 2200; inconspicuousness of required label information, No. 2184; cosmetics, subject to the drug provisions of the Act, Nos. 2167, 2184.