

quired under the law in proving the allegations of the information; and on April 6, 1949, the case was concluded with the dismissal of the information and the discharge of the defendant.

2781. Misbranding of Alapex. U. S. v. 176 Bottles, etc. (F. D. C. No. 23701. Sample No. 99846-H.)

LIBEL FILED: On or about September 19, 1947, Western District of Missouri.

ALLEGED SHIPMENT: By Geoffrey Jordn, Inc., from Alliance, Ohio. The product was shipped on or about July 23, 1947, and a number of circulars were shipped on or about August 5, 1947.

PRODUCT: 176 4-ounce bottles of *Alapex* at Kansas City, Mo., together with a number of circulars entitled "Alapex for the Scalp." Examination showed that the product consisted essentially of alcohol, water, bichloride of mercury, and calomel.

NATURE OF CHARGE: Misbranding, Section 502(a), certain statements on the bottle labels and in the circulars were false and misleading. The statements represented and suggested that the article was effective in the treatment of falling hair, baldness, dandruff, and ringworm, whereas the article was not effective in the treatment of such conditions.

DISPOSITION: October 31, 1947. Default decree of destruction.

2782. Misbranding of Colusa Natural Oil and Colusa Natural Oil Capsules. U. S. v. 5 Bottles, etc. (F. D. C. No. 23161. Samples Nos. 86912-H, 86913-H.)

LIBEL FILED: June 2, 1947, Southern District of Iowa.

ALLEGED SHIPMENT: On or about April 28, 1947, by Joseph Ventura, from Chicago, Ill.

PRODUCT: 5 4-ounce bottles and 15 2-ounce bottles of *Colusa Natural Oil* and 7 200-capsule bottles and 30 100-capsule bottles of *Colusa Natural Oil Capsules* at Clinton, Iowa. Examination showed that the products consisted of crude petroleum oil.

LABEL, IN PART: (Bottle) "Colusa Natural Oil * * * Colusa Remedy Co. * * * Los Angeles, California."

NATURE OF CHARGE: Misbranding, Section 502(a), certain statements on the bottle labels were false and misleading. These statements represented and suggested that the articles, when taken individually or in combination, were effective in the treatment of psoriasis, eczema, leg ulcers, athlete's foot, and open sores, whereas the articles when taken as directed, were not effective for such purposes.

DISPOSITION: March 15, 1948. Default decree of condemnation and destruction.

2783. Misbranding of Nef-Tex Tablets. U. S. v. 28 Cartons * * *. (F. D. C. No. 27156. Sample No. 13116-K.)

LIBEL FILED: April 26, 1949, District of Delaware.

ALLEGED SHIPMENT: On or about November 18, 1948, by the Drexel Laboratories, from Drexel Hill, Pa.

PRODUCT: 28 cartons each containing a leaflet entitled "Nef-Tex Tablets" and a 48-tablet bottle of *Nef-Tex Tablets* at Wilmington, Del. Analysis showed that the product consisted essentially of oxyquinoline sulfate (1 grain per tablet), saccharin, methyl salicylate, and oil of peppermint.

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements in the labeling of the article were false and misleading since the article when used as directed was not effective to inhibit bacteria, arrest fermentation, and to remove the cause of intestinal and urinary irritations, and, further, it was not effective in the treatment of grippe and common colds: (Bottle label) "* * * They inhibit bacteria, arrest fermentation, removing cause of intestinal and urinary irritations" and (leaflet entitled "Nef-Tex Tablets") "* * * Nef-Tex Tablets Recommended for Grippe and Common Cold Health authorities agree that a germ or virus is responsible for the common run of colds and that all of us should guard against them. If you are subject to colds or have trouble getting rid of a cold try Nef-Tex Tablets * * *."

DISPOSITION: June 15, 1949. Default decree of condemnation and destruction.

✓ **2784. Misbranding of Prostall. U. S. v. 4 Bottles, etc. (F. D. C. No. 27163. Sample No. 29299-K.)**

LABEL FILED: April 25, 1949, District of Colorado.

ALLEGED SHIPMENT: By Douglas Laboratories, Inc., from Boston, Mass. The product was shipped on or about April 6, 1949, and a number of pamphlets were shipped on or about March 1, 1949.

PRODUCT: 4 100-capsule bottles of *Prostall* at Denver, Colo., together with 18 pamphlets entitled "The Story of Prostall." Analysis indicated that the product consisted of amino acids.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the label of the article and in the pamphlets were false and misleading since they represented and suggested that the article was effective in the relief of pain and prostate hypertrophy, whereas the article was not effective for such purposes.

DISPOSITION: June 1, 1949. Default decree of condemnation and destruction.

2785. Misbranding of Vita Orange. U. S. v. 10 Cases, etc. (F. D. C. No. 26096. Sample Nos. 5308-K to 5310-K, incl.)

LABEL FILED: On or about December 1, 1948, District of Rhode Island.

ALLEGED SHIPMENT: On or about September 2 and 18, 1948, by the California Fruit Juice Co., from Waltham, Mass.

PRODUCT: 10 cases, each containing 12 quart bottles, 15 cases, each containing 6 half-gallon bottles, and 39 1-gallon bottles, of *Vita Orange* at Newport, R. I., together with a number of circulars entitled "The Good Morning to Health."

Examination showed that the product was a mixture of orange juice, orange oil, water, acid, sugar, and artificial color, and that it contained approximately 5,000 U. S. P. units of vitamin C per one-half gallon.

LABEL, IN PART: (Bottle) "Vita Orange with Vitamins Added."

NATURE OF CHARGE: Misbranding, Section 502 (a), the name "Vita Orange" and certain statements in the circulars were false and misleading since they represented and suggested that the article was nutritionally better than orange juice; that it was a better source of vitamins than orange juice; that it would be effective to promote health and healthy bones, teeth, and gums; and that it would be effective in the treatment of colds and prevention of infections. The article was not nutritionally better than orange juice; it was not a better source of vitamins than orange juice; and it would not be effective for the purposes represented.