

**DRUG ACTIONABLE BECAUSE OF FAILURE TO BEAR A LABEL CONTAINING AN ACCURATE STATEMENT OF THE QUANTITY OF THE CONTENTS\***

**3579. Misbranding of cortisone. U. S. v. 99 Vials \* \* \*. (F. D. C. No. 30911. Sample No. 816-L.)**

**LIBEL FILED:** April 10, 1951, Southern District of Florida; amended libel filed May 16, 1951.

**ALLEGED SHIPMENT:** On or about March 21, 1951, by Supramar Chemicals, Inc., from New York, N. Y.

**PRODUCT:** 99 unlabeled 20-cc. vials of *cortisone* at Miami, Fla., en route to Buenos Aires, Argentina.

**NATURE OF CHARGE:** Misbranding, Sections 502 (b) (1) and (2), 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.

**DISPOSITION:** August 16, 1951. Supramar Chemicals, Inc., claimant, having admitted the allegations of the libel for purposes of the instant case, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Federal Security Agency.

**DRUG ACTIONABLE BECAUSE OF FAILURE TO BEAR LABELING INFORMATION LIKELY TO BE READ AND UNDERSTOOD BY ORDINARY INDIVIDUAL UNDER CUSTOMARY CONDITIONS OF PURCHASE AND USE**

**3580. Misbranding of Mynex tablets. U. S. v. 82 Boxes \* \* \*. (F. D. C. No. 31403. Sample No. 18141-L.)**

**LIBEL FILED:** August 3, 1951, District of Arizona.

**ALLEGED SHIPMENT:** On or about May 2, 1951, by Marlene's, Inc., from Chicago, Ill.

**PRODUCT:** 82 63-tablet boxes of *Mynex tablets* at Phoenix, Ariz. Analysis showed that the product contained substantially less than the declared amount of vitamin D.

**LABEL, IN PART:** "A Dietary Supplement \* \* \* Mynex \* \* \* Each Maroon Tablet Contains: \* \* \* Vitamin D 200 Int. units."

**NATURE OF CHARGE:** Misbranding, Section 502 (c), the information required by Section 502 (a) to appear on the label of the article, namely, a statement that *Mynex tablets* would not make one reduce, was not prominently placed on the label with such conspicuousness (as compared with other words, statements, designs, or devices, on the label) and in such terms as to render such statement likely to be read and understood by the ordinary individual under customary conditions of purchase and use since such statement appeared inside the cellophane wrapped box; and in the light of the representations made and suggested for the article, under conditions of use as are customary and usual, such statement should appear upon the immediate container of the article.

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\*See also Nos. 3554-3564.

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

DISPOSITION: September 26, 1951. Default decree of condemnation and destruction.

# INDEX TO NOTICES OF JUDGMENT D. D. N. J. NOS. 3550 TO 3580

## PRODUCTS

	N. J. No.		N. J. No.
Acetyl-amino-benzaldehyde-thio- semicarbazone. <i>See</i> TB-1 tablets.		Estrogenic substances----- <sup>1</sup> 3550, <sup>2</sup> 3553, 3558, 3560, 3571-3574	
Alpha-estradiol preparations----- <sup>1</sup> 3550, <sup>2</sup> 3553		Estrogyne, aqueous----- 3571	
Amphetamine, dextro-, sulfate tablets----- 3561, 3562		Exercycle device----- 3578	
Androgenic substances----- <sup>1</sup> 3550, <sup>2</sup> 3553, 3562		Fleasseed (Plantago) husks----- 3568	
Aqua-Gyne----- 3571		Generator, Halox Therapeutic-- <sup>3</sup> 3567	
Aqueous Estrogyne----- 3571		Halox Therapeutic Generator-- <sup>3</sup> 3567	
Arthritis, remedies for. <i>See</i> Rheumatism, remedies for.		Hemoplex----- 3570	
Benzedrine Sulfate tablets----- 3557		Hydr-Oxy-Colon device----- 3551	
Chlorine gas, device for produc- ing----- <sup>3</sup> 3567		Livofer-B----- 3570	
Conjugated estrogens----- 3572-3574		Means' Dr., Pills----- 3566	
Cortisone----- 3579		Methyltestosterone tablets----- <sup>1</sup> 3550, <sup>2</sup> 3553, 3562	
d-desoxyephedrine hydrochloride tablets----- 3562		Mynex tablets----- 3580	
Delcreo emulsion and Delcreo soluble sulfur compound capsules----- 3576		No. 29 tablets and No. 367 tablets----- 3565	
Desoxyephedrine, d-, hydrochlo- ride tablets----- 3562		Parenteral drugs, contaminated-- 3570	
Devices----- 3551, <sup>3</sup> 3567, 3577, 3578		Pentobarbital sodium capsules-- 3556- 3559	
Dexedrine Sulfate tablets--- 3554-3558		Phenobarbital tablets----- 3561	
Dextro-amphetamine sulfate tablets----- 3561, 3562		Plantago. <i>See</i> Fleasseed husks.	
Diethylstilbestrol capsules----- 3558		Prophylactics, rubber----- 3577	
perles----- 3560		Psyllium seed husks----- 3569	
Dolcin----- 3575		Reducing, device for----- 3578	
		Rheumatism, remedies for----- 3551, 3565, <sup>3</sup> 3567, 3575, 3576	
		Sulfadiazine tablets----- 3557, 3558	
		Sulfathiazole tablets----- 3563, 3564	
		TB-1 tablets----- 3552	
		Thyroid tablets----- 3558	
		Tuinal capsules----- 3559	
		Veterinary preparation----- 3576	
		Vitamin preparation----- 3580	

<sup>1</sup> (3550) Injunction issued. Contains opinions of the court.

<sup>2</sup> (3553) Injunction issued.

<sup>3</sup> (3567) Seizure contested. Contains opinion of the court.