

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements on the label of the article and in the above-mentioned leaflets were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for impure blood, stomach trouble, rheumatism, colds, sore throat, asthma, bronchitis, influenza, infected tonsils, arthritis, lumbago, sciatica, sores, eczema, poor appetite, nervousness, sleeplessness, run-down condition, nervous stomach, "asthmatics," colitis, spastic colon, ulcers, and all common sicknesses. The article was not an adequate and effective treatment for such conditions.

**DISPOSITION:** November 20, 1953. Amos LeCureaux having executed an acceptance of service and authorization for taking a final decree, judgment of condemnation was entered and the court ordered that the product be destroyed.

**4275. Misbranding of Ber-Ex tablets. U. S. v. 66 Cartoned Bottles \* \* \*.**  
(F. D. C. No. 35384. Sample No. 20184-L.)

**LIBEL FILED:** August 13, 1953, Western District of Wisconsin.

**ALLEGED SHIPMENT:** On or about June 3, 1953, by Pan Pharmacals, Inc., from Buffalo, N. Y.

**PRODUCT:** 66 cartoned bottles of *Ber-Ex tablets* at Madison, Wis.

**LABEL, IN PART:** (Carton and bottle) "100 Ber-Ex \* \* \* Tablets Succinate-Salicylate Oral Therapy \* \* \* Active Ingredients: Calcium Succinate Acetylsalicylic Acid."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements on the bottle and carton labels of the article were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for arthritic and rheumatic disorders, including osteoarthritis, rheumatoid arthritis, rheumatic fever, sciatica, gout, bursitis, fibrositis, neuritis, and myositis. The article was not an adequate and effective treatment for such conditions.

Further misbranding, Section 502 (e) (2), the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each active ingredient since acetylsalicylic acid is not the common or usual name for aspirin.

**DISPOSITION:** November 13, 1953. Default decree of condemnation and destruction.

**4276. Misbranding of vaginal jelly. U. S. v. 38 Cartoned Tubes \* \* \*.**  
(F. D. C. No. 35418. Sample No. 47468-L.)

**LIBEL FILED:** September 4, 1953, Northern District of Alabama.

**ALLEGED SHIPMENT:** On or about June 15, 1953, by the Commonwealth Research Laboratories, from Grand Rapids, Mich.

**PRODUCT:** 38 cartoned tubes of *vaginal jelly* at Birmingham, Ala. Each carton of the product contained a copy of a leaflet entitled "Facts and Instructions Concerning 'Pru' a Bacteridicidal and Bacteriostatic Gel."

**LABEL, IN PART:** (Carton) "Pru The Family Antiseptic A non-toxic antiseptic jelly. Recommended for Feminine Cleanliness. Active Ingredients: Oxyquinoline Sulphate, Boric Acid, Lactic Acid, Alum, Glycerine, Benzoic Acid, Gum Tragacanth. Net Contents 3 Ounces \* \* \* For Feminine Hygiene."