

**28342. Misbranding of Four Star One Night Healing Salve. U. S. v. 140 Jars of Four Star One Night Healing Salve. Default decree of condemnation and destruction. (F. & D. No. 39558. Sample No. 18689-C.)**

The labeling of this product contained false and fraudulent representations regarding its curative and therapeutic effects.

On May 4, 1937, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 140 jars of Four Star One Night Healing Salve at Fort Smith, Ark., alleging that the article had been shipped in interstate commerce on or about February 27, 1937, by the Leone Perfumers Keystone Laboratories, from Memphis, Tenn., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of menthol, eucalyptol, methyl salicylate, and camphor incorporated in petrolatum.

It was alleged to be misbranded in that the following statement on the jar label, "Healing \* \* \* For \* \* \* croup and respiratory disorders; For sore Throat and coughs, \* \* \* For \* \* \* hay fever, catarrh, asthma, \* \* \* all skin infections \* \* \* for pneumonia, acute bronchitis, influenza and croup," regarding its curative and therapeutic effects, were false and fraudulent.

On January 24, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28343. Adulteration and misbranding of thyroid tablets and phenolphthalein tablets. U. S. v. Ehrhart & Karl, Inc. Plea of nolo contendere. Fine, \$100. (F. & D. No. 39833. Sample Nos. 33443-C, 33444-C.)**

These tablets contained smaller amounts of thyroid and phenolphthalein, respectively, than the amount declared on the label.

On November 24, 1937, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Ehrhart & Karl, Inc., Chicago, Ill., alleging shipment by said company in violation of the Food and Drugs Act, on or about March 29, 1937, from the State of Illinois into the State of Michigan of quantities of thyroid tablets and phenolphthalein tablets which were adulterated and misbranded. They were labeled: "Prepared by Ehrhart & Karl, \* \* \* Chicago, Ill."

The thyroid tablets were alleged to be adulterated in that their strength and purity fell below the professed standard and quality under which they were sold, in that each tablet was represented to contain one-quarter grain of thyroid, whereas each tablet contained less than represented, namely, not more than 0.18 grain of thyroid. They were alleged to be misbranded in that the statement on the label, "Tablet Triturates Thyroid  $\frac{1}{4}$  Gr.," was false and misleading.

The phenolphthalein tablets were alleged to be adulterated in that they were sold under a name recognized in the National Formulary and differed from the standard of strength, quality, and purity as determined by the test laid down in the said formulary, since they contained not more than 49.4 percent of the labeled amount of phenolphthalein, equivalent to less than one-fourth grain of phenolphthalein, whereas the formulary provides that tablets of phenolphthalein shall contain not less than 92.5 percent of the labeled amount of phenolphthalein, and the standard of strength, quality, and purity of the article was not declared on the label. They were alleged to be adulterated further in that each of the tablets was represented to contain one-half grain of phenolphthalein, whereas each of said tablets contained less phenolphthalein than represented, namely, not more than one-fourth grain. They were alleged to be misbranded in that the statement "Tablet Triturates Phenolphthalein Pure  $\frac{1}{2}$  Gr.," borne on the bottle label, was false and misleading.

On December 2, 1937, a plea of nolo contendere was entered and the court imposed a fine of \$100.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28344. Adulteration and misbranding of V-T Preparation, and misbranding of aspirin tablets. U. S. v. T-Lax Products Co. and Clemmie L. Carmichael. Pleas of guilty. Corporation fined \$25; Clemmie L. Carmichael placed on probation for 3 years. (F. & D. No. 39798. Samples Nos. 16050-C, 22710-C, 34533-C, 34949-C, 44908-C.)**

The labeling of these products contained false and fraudulent representations regarding their curative and therapeutic effects. The T-V Preparation was represented to contain vitamin B, whereas it contained no vitamin B.