1238. Misbranding of Armstrong's Drops. U. S. v. 84 Dozen Packages of Armstrong's Drops. Default decree of condemnation and destruction. (F. D. C. No. 11639. Sample No. 21991–F.)

On January 15, 1944, the United States attorney for the Western District of Pennsylvania filed a libel against 84 dozen packages of Armstrong's Drops at Pittsburgh, Pa., alleging that the article had been shipped on or about May 17 and October 27, 1943, from Los Angeles, Calif., by the F. E. Bucklin Co.; and charging that it was misbranded. The article was labeled in part: (Retail carton) "Armstrong's Drops Contents ¼ Fluid Oz. Manufactured for Armstrong Drop Co. * * * So. Pasadena, Cal."

The article was alleged to be misbranded in that the statement in its labeling, "¼ Fluid Oz.," was false and misleading as applied to the article, which was short weight; and in that the article failed to bear a label containing an accurate statement of the quantity of contents.

On February 25, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1239. Misbranding of Dr. Marshall's Scalp Medications. U. S. v. T. Noonan & Sons Co. Plea of guilty. Fine, $200. (F. D. C. No. 11353. Sample Nos. 56554–F to 56557–F, incl.)

On March 6, 1944, the United States attorney for the District of Massachusetts filed an information against T. Noonan & Sons Co., a corporation, Boston, Mass., alleging shipment of quantities of scalp lotions and creams on or about May 28 and July 30, 1943, from the State of Massachusetts into the State of New York. The articles were labeled in part: "Dr. Marshall's Scalp Medication [or "Medications"] Scalp Cream No. 1 [or "Scalp Cream No. 3," "Scalp Lotion A," or "Scalp Lotion B"]."

Analysis disclosed that the Scalp Cream No. 1 contained sulfur, salicylic acid, and tar oils incorporated in a base of petrolatum and lanolin; that the Scalp Cream No. 3 contained sulfur, Peru balsam, and betanaphthol incorporated in a petrolatum and lanolin base; that the Scalp Lotion A consisted essentially of betanaphthol, quinine, resorcinol, a saponifiable oil such as castor oil, alcohol, and water; and that the Scalp Lotion B consisted essentially of betanaphthol, resorcinol, alcohol, and water, perfumed with a small proportion of aromatic oils.

The articles were alleged to be misbranded because of the false and misleading statements appearing on their respective labels which represented and suggested that the Scalp Cream No. 1 would be efficacious in the treatment of oily dandruff or psoriasis; that the Scalp Cream No. 3 and the Scalp Lotion A would be efficacious in the treatment of falling hair or alopecia areata (bald spots); and that the Scalp Lotion B would be efficacious in the treatment of oily hair, oily dandruff, or psoriasis.

The Scalp Lotions A and B were [alleged to be misbranded] further in that they were not designated solely by a name recognized in an official compendium, and were fabricated from two or more ingredients, one of which was alcohol, and their labels did not bear the common or usual name of each active ingredient, including a statement of the quantity or proportion of alcohol present in the articles.

On March 14, 1944, a plea of guilty having been entered on behalf of the corporation, the court imposed a fine of $50 on each of 4 counts, a total fine of $200.

1240. Misbranding of Golden Key Antiseptic Medicated Cream. U. S. v. 117 Jars of Golden Key Antiseptic Medicated Cream. Default decree of condemnation and destruction. (F. D. C. No. 11221. Sample No. 52928–F.)

On December 2, 1943, the United States attorney for the District of Maryland filed a libel against 117 jars of the above-named product at Baltimore, Md., alleging that the article had been shipped on or about July 12, 1943, from Philadelphia, Pa., by the Windsor Chemical Laboratories; and charging that it was misbranded.

The article was alleged to be misbranded in that the statement on its label, "Net Wt. 10 Ozs.," was false and misleading since the jars contained less than 10 ounces net; and in that the product was in package form and its label failed to bear an accurate statement of the quantity of the contents.

On January 15, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1241. Misbranding of Vit-an-Min. U. S. v. S & R Laboratories, Inc. Plea of guilty. Fine, $200 and costs. (F. D. C. No. 10598. Sample Nos. 3064–F, 3065–F.)

On January 29, 1944, the United States attorney for the Northern District of Illinois filed an information against the S & R Laboratories, Inc., Chicago, Ill.,