1502. Misbranding of Pancreas Cell Compound. U. S. v. 4 Bottles of Pancreas Cell Compound. Default decree of condemnation and destruction. (F. D. C. No. 15281. Sample No. 29384–H.)

On February 23, 1945, the United States attorney for the Northern District of California filed a libel against 4 bottles of Pancreas Cell Compound at San Francisco, Calif., alleging that the article had been shipped on or about November 27, 1944, from South Bend, Ind., by the Oak Balm Co., Inc. The article was labeled in part: "Directions Take one or two tablets just before eating, three times daily, or according to special directions from your doctor."

Examination of a sample showed that the article contained glandular material including pancreatin and insulin.

The article was alleged to be misbranded (1) in that it was a drug composed partly of insulin that was not from a batch for which a certificate or release had been issued; and (2) in that the statement on the bottle label, "A pluri-endocrine compound of carefully selected endocrine substances designed to act as a glandular stimulant," was false and misleading since the article would not act as a glandular stimulant. The article was alleged to be misbranded further in that the label statement, "Pancreas Cell Compound Each Tablet Contains Pancreas Substance. . . . 1 Grain Islets of Langerhans . . . 2 Grains Parathyroid Substance . . . 1/20 Grain And small amounts of Orchic, Spleen, Parotid and Submaxillary Substances," was misleading in the absence of a revelation of the fact, material in the light of such representation and material with respect to the consequences which might result under the conditions of use prescribed in the labeling, that none of the ingredients listed nor the combination of them would have any therapeutic effect if consumed in accordance with the directions stated upon the bottle label.

On March 31, 1945, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DRUGS ACTIONABLE BECAUSE OF FAILURE TO BEAR ADEQUATE DIRECTIONS OR WARNING STATEMENTS

1503. Misbranding of Blemo Ointment. U. S. v. 5⅔ Dozen Packages of Blemo Ointment. Default decree of condemnation and destruction. (F. D. C. No. 14196. Sample No. 90100–F.)

On November 6, 1944, the United States attorney for the Southern District of Iowa filed a libel against 5⅔ dozen packages of Blemo Ointment at Moravia, Iowa, alleging that the article had been shipped on or about May 27, 1944, from Canton, Ohio, by the Blemo Co.

Examination of samples disclosed that the article consisted essentially of mercuric oxide, benzoin, and an ointment base, together with material obtained from pine.

The article was alleged to be misbranded (1) in that the statements on its labels, "itching, or burning of eczema, acne * * * blotches, scales, pimples, * * * skin-itch and other externally caused skin irritations," were false and misleading since the article would not be effective in the treatment of those conditions; and (2) in that its label failed to bear adequate directions for use since it did not bear directions for the treatment of impetigo.

On December 30, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1504. Misbranding of Ger-Oil. U. S. v. 29½ Dozen Bottles and 2 Dozen Bottles of Ger-Oil. Default decree of condemnation and destruction. (F. D. C. No. 15163. Sample Nos. 22502–H, 22517–H.)

On February 1, 1945, the United States attorney for the Western District of Tennessee filed a libel against 29½ dozen large bottles and 2 dozen small bottles of Ger-Oil at Memphis, Tenn., alleging that the article had been shipped between the approximate dates of November 8, 1944, and January 4, 1945, by the Ger-Oil Co., from Jonestown, Miss.

Analysis showed that the article consisted of sulfur, turpentine, and a saponifiable oil.

The article was alleged to be misbranded (1) in that its label failed to bear any statement of the quantity of the contents; (2) in that it was fabricated from two of more ingredients and its label failed to bear the common or usual name of each active ingredient; and (3) in that its labeling failed to bear adequate directions for use, since there were no directions for use.

On April 11, 1945, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.