1542. Misbranding of mineral oil. U. S. v. 999 Bottles and 33 Bottles of Penn-Champ White Oil. Default decree of condemnation and destruction. (F. D. C. No. 15073. Sample No. 73025–F.)

On January 24, 1945, the United States attorney for the Northern District of California filed a libel against 999 1-pint bottles and 33 1-quart bottles of Penn-Champ White Oil at San Francisco, Calif., alleging that the article had been shipped on or about March 23 and June 18, 1943, from Titusville, Pa., by the Penna Refining Co.

Analysis disclosed that the article was U. S. P. mineral oil.

The article was alleged to be misbranded in that the following statements on its label, "Penn-Champ White Oil is absolutely pure and harmless, and is non-fattening. It is therefore useful in 'reducing diets' and is often used in the preparation of salad dressings for general baking and frying purposes where a non-nutrient oil is desired," and "As a Substitute for Cooking Oils * * * It can be used successfully for general baking and frying purposes * * * It is also useful in the preparation of Salad Dressings as a substitute for Olive or other vegetable oils," were false and misleading because they implied that mineral oil has the properties of, and will function in the same way as, edible vegetable cooking, baking, and frying oils and is suitable for use in salad dressing, whereas mineral oil is not suitable for such uses; and since the labeling failed to reveal the material fact that mineral oil may absorb certain vitamins and minerals and prevent their assimilation by the body.

On April 2, 1945, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1543. Misbranding of Comstock's Worm Pellets. U. S. v. 141 Tins of Worm Pellets. Default decree of condemnation and destruction. (F. D. C. No. 14488. Sample No. 73261–F.)

On November 27, 1944, the United States attorney for the Northern District of California filed a libel against 141 tins of Worm Pellets at San Francisco, Calif., alleging that the article has been shipped on or about October 10, 1944, by the National New York Packing and Shipping Co., from New York, N. Y. The article was labeled in part: (Tin) "Comstock's Dead Shot Worm Pellets * * * Contains * * * Santonin"; (cap) "Active Ingredient Santonin."

Analysis showed that the article consisted essentially of sugar, cornstarch, and stearic acid, with small amounts of spigelia and methyl salicylate. No calomel or santonin was found in the article.

It was alleged to be misbranded because of the following false and misleading statements in its labeling: (Tin) "Dead Shot Worm Pellets For Round and Pin Worms This medicine helps to expel the worms Contains Active Ingredients, Calomel—Remember Worms are very Stubborn Guests in the Human Body"; (circular) "Comstock's Dead Shot Worm Pellets for Round and Pin Worms if you are Not Sure that All the Worms and their Eggs have been Removed. The same Dose should be Taken Two Weeks after the First Dose."

On March 3, 1945, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DRUGS FOR VETERINARY USE

1544. Misbranding of Midwest Hi-Culture Vi-Tonic. U. S. v. 10 Bags of Midwest Hi-Culture Vi-Tonic. Default decree of condemnation and destruction. (F. D. C. No. 15051. Sample No. 68456–F.)

On January 11, 1945, the United States attorney for the Northern District of Ohio filed a libel against 10 bags, each containing 100 pounds, of the above-named product at Rudolph, Ohio, alleging that the article had been shipped on or about May 22, 1944, by the Midwest Mineral Co., Indianapolis, Ind.

Analysis showed that the article consisted essentially of mineral and plant material, including charcoal, sulfur, salt, and compounds of calcium, phosphorus, and iodine.

The article was alleged to be misbranded in that certain statements in an accompanying circular entitled "Directions For Culturing With Hi-Culture Vi-Tonic" were false and misleading since they represented and suggested that use of the article as a feed supplement would lower hog production costs and would enable the user to raise strong healthy pigs and produce pork quickly and inexpensively; and that the article would be effective in the prevention and treatment of necro and other pig troubles, intestinal putrefaction, toxic poison conditions, and necrotic enteritis and other nutritional diseases, whereas the article would not be effective to produce such results.

On February 10, 1945, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.