abolish the troublesome symptoms associated with the male climacteric occurring during middle age; that it would be efficacious in the treatment of emotional instability, despondency, irritability, fatigability, insomnia, diminution of mental powers, hearing, and potency, and, in severe cases, flushes and sweats; and that it would be useful in cases of benign prostatic hypertrophy, for the relief of pain in certain forms of heart disease, such as angina pectoris, and for the improvement of peripheral circulation in certain arterial diseases, such as arteriosclerosis. The labeling also represented that use of the article would result in a clearer brain, better hearing, a stronger voice, improved resistance of the nervous system against fatigue, promotion of muscular development, strength, and endurance, and increased potency. The article would not be effective to fulfill the promises of benefit stated and implied.

Violation of Section 505, the article was a new drug which should not have been introduced into interstate commerce since it was not generally recognized, among experts qualified by scientific training and experience to evaluate the safety of drugs, as safe for use under the conditions suggested in its labeling, "Massage into skin ½ level teaspoon of Hyatrone until completely absorbed. Repeat this treatment each morning and night for six consecutive days. Stop treatment for five days. Resume treatment for six days. Discontinue for fourteen days and begin cycle anew until results are satisfactory. Thereafter only ½ level teaspoon is required as a maintainance dose in the above cycle"; and an application filed pursuant to law was not effective with respect to the article.

DISPOSITION: February 25, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

## DRUGS ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

**1704. Adulteration of Comfort's Spiced Bitters. U. S. v. Aschenbach & Miller, Inc., and Laurence W. Helweg. Plea of nolo contendere. Corporation fined $500; imposition of sentence upon the individual defendant was suspended, and he was placed on probation for 30 days.** (F. D. C. No. 16606. Sample No. 3427–H.)

INFORMATION FILED: November 29, 1945, Eastern District of Pennsylvania, against Aschenbach & Miller, Inc., Philadelphia, Pa., and Laurence W. Helweg, secretary and treasurer of the corporation.

ALLEGED SHIPMENT: On or about January 18, 1945, from the State of Pennsylvania into the State of Virginia.

NATURE OF CHARGE: Adulteration, Section 501 (a) (1), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments and insect fragments; and, Section 501 (a) (2), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 25, 1946. Pleas of nolo contendere having been entered, the court imposed a fine of $500 against the corporation. The court suspended imposition of sentence upon the individual defendant and placed him on probation for 30 days.

**1705. Adulteration of buchu leaves. U. S. v. 3 Bales of Buchu Leaves. Default decree of condemnation and destruction.** (F. D. C. No. 19100. Sample No. 35613–H.)

LIBEL FILED: February 12, 1946, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about December 6, 1945, by R. J. Prentiss and Co., from New York, N. Y.

PRODUCT: 3 bales, each containing 280 pounds, of *buchu leaves* at St. Louis, Mo.

LABEL, IN PART: "E. M. & Co. Produce of Union of South Africa Buchu Leaves With Stems."

NATURE OF CHARGE: Adulteration, Section 501 (a) (1), the article consisted in whole or in part of a filthy substance by reason of the presence of insects and insect fragments.

DISPOSITION: March 25, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.