

for use in the treatment of piles, bleeding piles, aching muscles, joints, and tissues, cancer of the intestines, kidney stones, lumbago, sciatica, rheumatism, tapeworms, hookworms, gallstones, change of life, and for use to improve the appetite and elimination, which were the conditions for which the article was recommended and suggested in its advertising disseminated at Salem, Mo., and sponsored by and on behalf of its packer.

DISPOSITION: May 17 and October 7, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

1907. Misbranding of Goodfreed's Formula No. 2 and Goodfreed's Inhalers. U. S. v. 1,000 Bottles of Goodfreed's Formula No. 2, 2,000 Goodfreed's Inhalers, and a number of circulars and placards. Default decree of condemnation and destruction. (F. D. C. No. 19319. Sample No. 2988-H.)

LABEL FILED: March 6, 1946, District of Columbia. The products were on the premises of the G. C. Murphy Co., Washington, D. C., in custody of B. L. Goodman, who represented himself to be a demonstrator and part owner of the business of Goodfreed Products, the packer and distributor.

PRODUCT: 300 2-ounce bottles, 300 4-ounce bottles, and 400 8-ounce bottles of *Goodfreed's Formula No. 2* and 2,000 *Goodfreed's Inhalers* at the G. C. Murphy Co., Washington, D. C., together with a number of circulars entitled "Goodfreed's Formula Australian Oil Brings Quick Relief to Thousands," a placard entitled "Formula No. 2 Marvelous Aid," and a placard entitled "Formula No. 2 Marvelous Relief." Examination indicated that the *Formula* was a mixture of volatile oils; and that the *Inhaler* was a glass tube containing absorbent material, with one end narrow to allow insertion into the nostrils. In addition to the representations in the labeling, oral representations were made on behalf of the manufacturer or packer of the products by B. L. Goodman to customers at the G. C. Murphy Co. It was represented orally that the products would be useful in prophylaxis against lobar pneumonia, asthma, ulcers, catarrh in the stomach, and colds in the kidneys; and that they would be useful as a treatment for pyorrhea, bleeding gums, and for lumbago, arthritis, neuritis, rheumatic or muscular fever, and aches and pains of any kind.

LABEL, IN PART: "Goodfreed's Formula No. 2. Contains: Eucalyptus Oil, Camphor Oil, Peppermint Oil, Menthol and Thymol."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circulars and placards were false and misleading since they represented and suggested that the articles would be effective in the treatment of asthma, catarrhal conditions, malaria, yellow fever, endemic fever, stiff joints, earache and pain, rose fever, hay fever, sinus trouble, bronchitis, coughs due to chest colds, rheumatic pains, lumbago, sciatica, swollen joints, arthritis, and neuritis; and that the articles would be effective as an active partner in the business of keeping well. The articles would not be effective for such purposes.

Further misbranding, Section 502 (f) (1), the labeling of the articles failed to bear adequate directions for use in the treatment of rose fever, hay fever, sinus trouble, catarrh, asthma, bronchitis, pyorrhea, bleeding gums, rheumatic pains, lumbago, sciatica, swollen joints, arthritis, neuritis, stiff joints, earache, malaria, yellow fever, endemic fever, and in the prophylaxis of lobar pneumonia, ulcers, catarrh in the stomach, and colds in the kidneys, which were the diseases, symptoms, and conditions for which the articles were offered in their labeling and in their advertising disseminated and sponsored by and on behalf of their manufacturer or packer.

DISPOSITION: April 15, 1946. No claimant having appeared, judgment of condemnation was entered and the products and the printed matter were ordered destroyed. On May 1, 1946, the decree was amended to provide for the delivery to the Food and Drug Administration of the circulars, placards, and the stickers attached to shipping cartons.

1908. Misbranding of RX 5000. U. S. v. 44 Packages of RX 5000. Consent decree of condemnation and destruction. (F. D. C. No. 19990. Sample No. 47152-H.)

LABEL FILED: June 11, 1946, District of Colorado.

ALLEGED SHIPMENT: On or about March 28, 1946, by the Hassenstein Co., from Hollywood, Calif.

PRODUCT: 44 packages of *RX 5000* at Denver, Colo. Examination showed that each package contained, among other things, 2 cartons, each containing 11 tablets; 1 carton containing 6 capsules; and 3 ampuls containing a liquid. Analysis showed that the tablets consisted essentially of iron sulfate, plant

material, including aloes and ergot, and essential oils such as oil of pennyroyal; that the capsules consisted essentially of ergot alkaloids, aloin, oil of savin, and apiol; and that the ampuls contained solution of posterior pituitary.

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use since it failed to state why the article was to be used; and, Section 502 (f) (2), the labeling failed to bear adequate warnings against use of the article in those pathological conditions wherein its use may be dangerous to health since the statement appearing in a circular, "Ampuls should not be used in cases of nephritis, myocarditis, arteriosclerosis, and threatened rupture of the uterus," was not a warning that would adequately inform the user that the contents of the ampul should not be used in cases of kidney disease, heart disease, high blood pressure, or hardening of the arteries.

DISPOSITION: June 26, 1946. The Hassenstein Co. having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

1909. Misbranding of estrogenic hormone. U. S. v. 48 Vials of Estrogenic Hormone. Default decree of forfeiture and destruction. (F. D. C. No. 19363. Sample No. 52625-H.)

LABEL FILED: March 20, 1946, Southern District of Indiana.

ALLEGED SHIPMENT: On or about November 28, 1945, by International Hormones, Inc., from Brooklyn, N. Y.

PRODUCT: 48 unlabeled vials of *estrogenic hormone* at Indianapolis, Ind. The vials were packed in a labeled carton. No written agreement existed between the shipper and the consignee as to the labeling of the product.

LABEL, IN PART: (Carton) "Estrogenic Hormone 10,000 I. U./cc Corn Oil 50-30 cc vials ½% Chlorbutanol."

NATURE OF CHARGE: Misbranding, Section 502 (e) (2), the article was fabricated from two or more ingredients and its label failed to bear the common or usual name of each active ingredient, since the designation "Estrogenic Hormone," borne on the carton, is not the specific name of any particular substance but is a generic name for a class of substances.

Further misbranding, Section 502 (b) (1), the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 502 (b) (2), it failed to bear an accurate statement of the quantity of the contents; and, Section 502 (f) (1), its labeling failed to bear adequate directions for use.

DISPOSITION: May 13, 1946. No claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS*

1910. Adulteration of Hyposols Liv-Vi-B, Hyposols Liver Solution U. S. P., and Hyposols Sulisocol. U. S. v. The Drug Products Co., Inc., Joseph H. Moss, and George E. Hickey. Pleas of guilty. Corporation fined \$750; Joseph H. Moss fined \$450; and George E. Hickey fined \$750 and sentenced to 30 days' imprisonment. (F. D. C. No. 17787. Sample Nos. 82095-F, 82972-F, 6201-H.)

INFORMATION FILED: March 6, 1946, Eastern District of New York, against the Drug Products Co., Inc., a corporation, Long Island City, N. Y., Joseph H. Moss, president, and George E. Hickey, vice president, of the corporation.

ALLEGED SHIPMENT: On or about August 25 and October 12 and 13, 1944, from the State of New York into the State of New Jersey.

LABEL, IN PART: "Hyposols * * * Liv-Vi-B * * * Inject Intramuscularly," "Hyposols Liver Solution U. S. P. * * * (injectable)," or "Hyposols Sulisocol * * * Intravenous—Intramuscular."

NATURE OF CHARGE: *Liv-Vi-B* and *Sulisocol*. Adulteration, Section 501 (c), the purity and quality of the articles fell below that which they purported and were represented to possess. The *Liv-Vi-B* purported and was represented to be suitable and appropriate for intramuscular injection, and the *Sulisocol* purported and was represented to be suitable for intramuscular and intravenous injection, which uses require sterile products. The articles were not suitable and appropriate for the purposes claimed since they were not sterile but were contaminated with living micro-organisms.

*See also No. 1904.