2433. Misbranding of Rosex Vaginal Protective. U. S. v. 23 Cartons * * *. (F. D. C. No. 24484. Sample No. 27249-K.)

LIBEL FILED: March 18, 1948, Western District of Tennessee.

ALLEGED SHIPMENT: On on about October 17, 1947, by Rosex Laboratories, from St. Louis, Mo.

PRODUCT: 23 cartons each containing a nozzle and one tube of *Rosex Vaginal Protective* at Memphis, Tenn. The label stated that the product was composed of glycerin, oxyquinoline, and boric acid in a suitable base.

LABEL, IN PART: "Rosex A Superior Vaginal Protective Net Weight 2 Oz."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statement "A Superior Vaginal Protective" was false and misleading, since the article would not protect against the various disease conditions of the vagina.

DISPOSITION: April 21, 1948. Default decree of condemnation and destruction.

2434. Misbranding of adhesive bandages. U. S. v. 238 Cartons * * *. (F. D. C. No. 24308. Sample No. 10276-K.)

LIBEL FILED: January 29, 1948, Eastern District of New York.

ALLEGED SHIPMENT: On or about October 20 and 29, 1947, by Johnson & Johnson, from New Brunswick, N. J.

PRODUCT: 238 cartons, each containing 12 retail packages, of *adhesive bandages* at Brooklyn, N. Y. Each retail package contained 36 assorted *adhesive bandages.*

LABEL, IN PART: (Packages) "Tyro-thri-cin Pad Antiseptic Band-Aid Sterile Adhesive Bandage."

NATURE OF CHARGE: Misbranding, Section 502 (a), the statements in the labeling, "Antiseptic," "Tyro-thri-cin * * * an organic antiseptic which is derived by natural processes," and "Kills—Instead of Merely Checking Germ Growth," were false and misleading as applied to the article, which was neither antiseptic nor germicidal.

DISPOSITION: March 22, 1948. Johnson & Johnson, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

2435. Misbranding of Dr. Johnson's Private Formulas Nos. 1, 4, and 5, laxative tablets, and rectal pipes. U. S. v. Dr. O. A. Johnson Rectal Clinic. Plea of nolo contendere. Fine, $100 and costs. (F. D. C. No. 24237. Sample No. 99701-H.)

INFORMATION FILED: On or about March 5, 1948, Western District of Missouri, against the Dr. O. A. Johnson Rectal Clinic, a corporation, Kansas City, Mo.

ALLEGED SHIPMENT: On or about July 30, 1947, from the State of Missouri into the State of Oklahoma.

PRODUCT: A combination treatment consisting of 2 tubes of *Formula No. 1*, 1 tube of *Formula No. 4*, 1 tube of *Formula No. 5*, 1 box of *laxative tablets*, and *3 rectal pipes.*

LABEL, IN PART: "Dr. Johnson's Private Formula No. 1. Analgesic—Anti-Pruitic Active Ingredients—Menthol Synthetic, Camphor, Oil Eucalyptus, Carbolic Acid"; "Dr. O. A. Johnson's Private Formula No. 4 Astringent—Local Hemostatic Active Ingredients—Tannic Acid in Methylene Blue and Petrolatum Base"; "Dr. O. A. Johnson's Private Formula No. 5 Astringent—Emollient Active Ingredients: 6½% Alcohol by Volume. Calendula Off (Marigold), Mangifera Ind (Mango Gum), Hamemelis, (Witch Hazel), Ichthymall"; and "Laxative Tablets. Each Tablet Contains: Extract Belladonna . . . ⅛ grain (1/640 grain total Alkaloids) Ext. Cascara Sagrada, Oleoresin Ginger, Aloin, Podophyllin."

NATURE OF CHARGE: Misbranding, Section 502 (a), the labeling of the article, which included a circular entitled "Good News," leaflets entitled "The Best Proof of All" and "Directions for using," and a number of letters addressed to the consignee of the article, contained statements which were false and misleading. These statements represented and suggested that the article when used in accordance with the directions in the labeling would be an adequate treatment for piles; that it would be efficacious in the cure, mitigation, and treatment of rectal pain, soreness and bleeding of the rectum, bleeding and protruding piles, "Blind Piles," ulcerated rectum, and other rectal troubles;