ingredient was derived and the fact that the ingredient was derived from mercury; and, further, the label did not bear a statement of the quantity or proportion of red precipitate contained in the article.

DISPOSITION: April 1, 1948. Pleas of guilty having been entered, the court imposed a fine of $400 against each defendant.

2503. Misbranding of Vaga-Septic Capsules and Vaga-Septic Powder. U. S. v. 30 Boxes, etc. (F. D. C. No. 25202. Sample Nos. 21746–K, 21747–K.)

LIBEL FILED: July 26, 1948, Western District of Oklahoma.

ALLEGED SHIPMENT: On or about January 26, 1948, by the Vaga-Septic Co., from Grandview, Mo.

PRODUCT: 30 boxes each containing 15 *Vaga-Septic Capsules* and 33 boxes of *Vaga-Septic Powder* at Oklahoma City, Okla. Examination showed that the capsules consisted essentially of sodium bicarbonate, borates, zinc sulfate, and oxyquinoline sulfate, and that the powder consisted essentially of boric acid, menthol, carbolic acid, aluminum sulfate, and oil of eucalyptus. Bacteriological tests showed that the powder was not antiseptic.

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the articles failed to bear labels containing an accurate statement of the quantity of the contents; Section 502 (f) (1), the labeling of the capsules failed to bear adequate directions for use, since it did not reveal the reason for using the article; and, Section 502 (a), the statements "Vaga-Septic" and "Healing" on the label of the powder were false and misleading, since the article was not antiseptic and was not effective in healing.

DISPOSITION: September 3, 1948. Default decree of condemnation and destruction.

2504. Misbranding of Brother Tom's Medicine and iron and yeast tablets. U. S. v. 14 Packages * * *. (F. D. C. No. 25144. Sample Nos. 36262–K, 36263–K.)

LIBEL FILED: August 5, 1948, District of Montana.

ALLEGED SHIPMENT: On or about June 11, 1948, by the Brother Tom's Medicine Co., from Los Angeles, Calif.

PRODUCT: 14 packages of *Brother Tom's Medicine*, at Butte, Mont., each package containing 1 bottle of the medicine and an envelope containing *iron and yeast tablets*.

LABEL, IN PART: (Bottle) "Liquid Medicine That Acts as a Laxative, Stomachic, Carminative, Diuretic. Contains the active principles extracted from Cascara Sagrada, Senna, Gentian, Fennel Seed, and in addition contains Aloin, Caffeine, Sodium Benzoate, Salicylic Acid and flavoring ingredients"; (envelope) "Iron and Yeast Tablets * * * Four Tablets Contain Iron 75 Mg. (Ferrous Sulf. Exsic. 3.9 Gr.) Yeast 12 Gr. (Primary Dried U. S. P.) B_1 (Thiamin) 1.8 Mg. with excipients and fillers."

NATURE OF CHARGE: *Brother Tom's Medicine.* Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use as a stomachic, carminative, and diuretic, the purposes for which it was recommended in its labeling.

Iron and yeast tablets. Misbranding, Section 502 (a), certain statements in a circular enclosed in the envelope containing the tablets were false and misleading. These statements suggested and implied that the tablets would preserve a lady's beauty and prevent her face from growing pale when her freshness was lagging and her energy was low; that they would remedy puny, weak, red blood cells, enabling them to send full energy into one's system; that they would build energy; that they would correct tired, listless, pale conditions, and would cause the red cells to release energy to the body; and that they would favorably affect puny, faded cells, enabling them to release needed energy and cause one to look and feel his best. The tablets would not be effective for such purposes.

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

2505. Misbranding of Vit-An-Min. U. S. v. 310 Bottles, etc. (F. D. C. No. 25081. Sample Nos. 19460–K, 19461–K.)

LIBEL FILED: July 13, 1948, Northern District of Ohio.