DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE*

2801. Misbranding of Anbesol. U. S. v. 11 Cartons * * *. (F. D. C. No. 27001. Sample No. 56191–K.)

LIBEL FILED: April 19, 1949, Eastern District of New York.

ALLEGED SHIPMENT: On or about March 22, 1949, by the Anbesol Co., from Newark, N. J.

PRODUCT: 11 cartons, each containing 12 packages, and each package containing a circular entitled "You'll never know when you'll need Anbesol" and one 4-fluid dram bottle, of *Anbesol* at Brooklyn, N. Y. Analysis showed that the product consisted essentially of alcohol 70 percent, benzocaine, a cresol, and glycerin, with small proportions of carbolic acid and iodine.

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements were false and misleading since the article was not effective in the treatment of the conditions represented and suggested: (Display carton) "Use for Teething Babies * * * sore gums * * * earache, sore throat" and (circular) "Kill infection * * * teething babies * * * toothache * * * Mouth and lip sores * * * earache * * * sore gums * * * will prevent infection."

DISPOSITION: June 17, 1949. Default decree of condemnation and destruction.

2802. Misbranding of Ce Kelp. U. S. v. 33 Jars * * *. (F. D. C. No. 26939. Sample No. 41822–K.)

LIBEL FILED: March 30, 1949, Northern District of Illinois.

ALLEGED SHIPMENT: On or about October 19, 1948, and January 21 and 30, 1949, by the Dental Research Co., from St. Petersburg, Fla.

PRODUCT: 33 1,000-tablet jars of *Ce Kelp* at Chicago, Ill., together with a number of pamphlets entitled "To Your Health" and "Ce Kelp."

LABEL, IN PART: "Ce Kelp A Vegetable Sea Food."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the article were false and misleading since they represented and suggested that the article was effective in the treatment and prevention of obesity, thinness, dental decay, pyorrhea, arthritis, glandular malfunction, premature aging, and degenerative changes in the body; that the use of the article would compensate for all mineral deficiencies in the diet and would promote and insure health; and that there are differences of opinion concerning the nutritional value of the small quantities of minerals other than calcium, phosphorus, iron, and iodine, which would be provided by the recommended daily intake of the article. The article would not be effective for the purposes represented, and there are no differences of opinion concerning the nutritional value of the minerals referred to.

DISPOSITION: May 13, 1949. Default decree of condemnation and destruction.

---

*See also Nos. 2792, 2798, 2799.