1084. Misbranding of Leonardi's Elixir. U. S. v. 66 Packages of Leonardi's Elixir. Default decree of condemnation and destruction. (F. D. C. No. 9943. Sample No. 28187–F.)

On May 18, 1943, the United States attorney for the Southern District of Florida filed a libel against 66 packages of Leonardi's Elixir at Tampa, Fla., alleging that the article had been shipped from New Rochelle, N. Y., by S. B. Leonardi and Co., Inc., on or about April 9, 1943; and charging that it was misbranded.

Examination showed that the article consisted essentially of water, potassium iodide, tincture of ferric citrochloride, and extracts from plant drugs.

The article was alleged to be misbranded in that the following statements, which appeared on the cartons in the English language, and similar statements in foreign languages, "Chronic Rheumatism, Gout * * * conditions resulting from exposure or exhausting labor, * * * increases the red corpuscles * * * in the blood," were false and misleading since the article would not be effective for the purposes claimed.

On June 18, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1085. Misbranding of Prostacones. U. S. v. 2⅔ Dozen Boxes of Prostacones. Default decree of condemnation and destruction. Decree amended to provide for delivery of the product to a county agency or charitable institution. (F. D. C. No. 9982. Sample No. 22770–F.)

On May 19, 1943, the United States attorney for the Eastern District of Pennsylvania filed a libel against 2⅔ dozen boxes, each containing 12 Prostacones, at Philadelphia, Pa., alleging that the article had been shipped on or about April 10, 1943, by the Physicians Drug Co., from New York, N. Y.; and charging that it was misbranded.

Examination showed that this article consisted essentially of methenamine, sodium salicylate, theophyllin, and alkaloid-containing material, together with cocoa butter.

The article was alleged to be misbranded in that the statements in its labeling which represented and suggested that, when used as directed, it would be effective for palliation of prostatic distress; that it would soothe the prostatic inflammation; that it would relax spasm of the vesical sphincter; that it would stimulate diuresis and micturition; that it would reduce urgency, dribbling, and burning; that it would avoid infection in catheter cases; and that it would check the progress of enlargement, were false since the article would not be efficacious for those purposes or accomplish the results claimed.

On June 12, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On June 23, 1943, an amended decree was entered providing for the delivery of the product to the Delaware County Board of Prison Inspectors, Media, Pa., or to some hospital clinic or charitable institution familiar with the use of the Prostacones.

1086. Misbranding of Kovac Type Culture Lactobacillus Acidophilus. U. S. v. 72 Bottles of Kovac Type Culture Lactobacillus Acidophilus. Default decree of condemnation and destruction. (F. D. C. No. 9126. Sample No. 30806–F.)

On January 7, 1943, the United States attorney for the Western District of Washington filed a libel against 72 bottles of the above-named product at Seattle, Wash., alleging that the article had been shipped from Los Angeles, Calif., by the Kovac Laboratories, within the period from on or about October 17 to December 3, 1942; and charging that it was misbranded.

Examination showed that the article was a broth culture containing from 4,000,000 to 8,000,000 lactobacilli per milliliter.

The article was alleged to be misbranded because of false and misleading statements which appeared in portions of its labeling enclosed in one of the shipments, i. e., in the leaflets entitled "Anti-Toxic Regime," and "Our Body Protectors," and which represented that the article was efficacious in the cure, mitigation, treatment, or prevention of auto-intoxication, toxemia, colitis, ulceration, diabetes, irritated bowels, poison-producing and disease-breeding (pathogenic) organisms generated in the intestinal tract, muddy complexion, offensive sweat, irritability, eruptions, sores, boils, pimples, carbuncles, itching with or without scales, eczema, inflammation of the skin with or without scales, chronic congestion (acne), dizziness (vertigo), stinging, violent, or constant headache, migraine, feeling of discomfort (malaise), depressed mind, physical debility, drowsiness, defective