

**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. 2 $\frac{2}{3}$  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 2 $\frac{2}{3}$  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

memory, disturbed sleep, insomnia, fatigue (chronic), nervous irritation, mental stupor, difficult concentration, neuralgia and neuritis, constant backache, general weakness, weakened abdominal muscles leading to obstinate constipation, arthritis, muscular rheumatism and gout, chronic bleeding gums, foul taste, fetid, enlarged tonsils, inflammation of the tonsils, fetid breath (halitosis), white ulcers in the mouth (thrush), fetid nasal discharge, loss of hair, quinsy, asthma, bronchial asthma, bronchitis, hardening of the lungs, dullness or heaviness of the eyes, discharge of pus from the eyes, affected vision, sac under the eye, brown rings under the eyes, hardening of the crystalline lens, soreness, cataract, high blood pressure, low blood pressure, enlargement (dilation) of the blood vessels, hardening (induration) of the arteries or arteriosclerosis, varicose veins, toxic blood (uremia), bacterial infection (septicemia), anemias, including chlorosis, degeneration (fatty) of the heart, fainting spells, inflammation of the heart tissues, biliousness, hardening of the liver, torpid liver, abscess of the liver, degeneration of the liver, enlargement of the spleen, jaundice, inflammation of the gall bladder, gall stones, tenderness of the abdomen, distension of the abdomen, abdominal pains, dyspepsia, inflammation of the stomach (gastritis), cancer of the stomach, inflammation of the intestines (enteritis), acute or chronic diarrhea, dysentery, kinks in the colon, catarrh of the intestine, constipation, tuberculosis of the bowels, acidosis, catarrh, strong body odor, rheumatism, depleted body resistance, chronic ulcers, chronic digestive disturbances, systemic toxemia, and premature aging.

On September 16, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1087. Misbranding of Chek-A-Cold. U. S. v. 138 Bottles of Chek-A-Cold. Default decree of condemnation and destruction. (F. D. C. No. 9901. Sample No. 23247-F.)**

On or about May 13, 1943, the United States attorney for the District of New Jersey filed a libel against 138 bottles of Chek-A-Cold at Merchantville, N. J., alleging that the article had been shipped on or about February 19, 1943, from Philadelphia, Pa., by the Hance Brothers and White Co.; and charging that it was misbranded. The article was labeled in part: "Each Fluid Ounce Contains: Chloroform . . . 4 minims Alcohol by vol . . . 2 percent Alkaloids of Hyoscyamus .0003 gr. Contains Extract of Cod Liver Oil (Vitamins A and D), Ipecac, Hyoscyamus, Horehound, Wild Cherry, Tar, Spikenard, Tolu, Menthol, Lobelia, White Pine and Tartar Emetic."

Examination showed that the article contained, among other ingredients, 1.17 minims of chloroform per fluid ounce, a small proportion of alcohol, and tartar emetic, and that Hyoscyamus alkaloids, if present at all, were in a proportion too small to permit detection.

The article was alleged to be misbranded in that the designations "Chek-A-Cold," on the carton, and "Chek-A-Col," on the bottle label, were false and misleading since the article would not be effective in checking colds; and in that its label failed to bear the quantity or proportion of chloroform contained in it, since the statement on the label, "Each Fluid Ounce Contains: Chloroform . . . 4 minims," was not a correct statement of the chloroform actually contained in the article.

On July 10, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1088. Misbranding of Pinee Preparation for Colds. U. S. v. 12 Dozen Bottles of "Pinee Preparation Colds." Decree of condemnation and destruction. (F. D. C. No. 9899. Sample No. 25000-F.)**

Six samples of this product were examined and were found to contain the following quantities of acetanilid: 2.88, 3.40, 4.83, 3.29, and 3.69 grains per fluid ounce. The product was also found to contain aromatic spirits of ammonia, an alkaloid-bearing drug such as belladonna, cascara sagrada, menthol, and camphor.

On or about May 10, 1943, the United States attorney for the Eastern District of Virginia filed a libel against 12 dozen bottles of the above-named product at Portsmouth, Va., alleging that the article had been shipped on or about November 20, 1942, from Kinston, N. C., by the Pinee Chemical Co.; and charging that it was misbranded.

It was alleged to be misbranded in that the statement "Colds," appearing on its label, was false and misleading since the article would not be effective in the