"Finally, we observe that it might indeed be difficult to find a diabetic who would act as a guinea-pig by abandoning insulin over any substantial period of time and submitting to treatment by 'Diabena' or any other drug whose efficiency has not been established. Diabetes is a serious disease which, if not properly and promptly treated, tends to become increasingly dangerous. Indeed, Dr. Tucker unhesitatingly testified that if a person suffering from diabetes is deprived of insulin, serious consequences might well follow.

"We think the Government has clearly established its case by a preponderance of the evidence. The judgment of the District Court is, accordingly, reversed and the case is remanded to that court with instructions to enter judgment in favor of the United States."

The case was remanded to the United States District Court for the Eastern District of Virginia; and, on 3–22–56, the court ordered the product destroyed.

4794. Reclu capsules. (F. D. C. No. 37111. S. No. 40–270 L.)

QUANTITY: 12 100-capsule btls. at Phoenix, Ariz.

SHIPPED: 7–28–54 and 9–4–54, from Fullerton, Calif., by Reclu Co.

LABEL IN PART: (Btl.) "Reclu Caps Each Capsule Contains Approx. 0.58 Grams Of A Specially Prepared Concentrate Made From Fresh Cabbage, Dessicated At Low Temp. * * * Reclu's Cabbage Concentrate Diet for Peptic Ulcers."

LIBELED: 9–30–54, Dist. Ariz.

CHARGE: 502 (a)—the bottle label of the article when shipped contained false and misleading representations that the article was an adequate and effective treatment for peptic ulcers.

DISPOSITION: 11–24–54. Default—destruction.

4795. Trumac tablets. (F. D. C. No. 36865. S. No. 90–431 L.)

QUANTITY: 10 cases, 12 btls. each, at Kansas City, Kans.

SHIPPED: 5–11–54, from Detroit, Mich., by Cemac Laboratories, Inc.

LABEL IN PART: (Btl.) "100 Tablets Trumac Tablets Enteric Coated Improved For the palliative relief of pain (headache) associated with Sinus Conditions, Facial Neuralgia, and Simple Headache. Contains: Salicylamide, as the active ingredient; with a catalytic agent CS 210 in a specially prepared base."

ACCOMPANYING LABELING: A flier designated "SINUS? . . . get palliative relief with TRUMAC TABLETS"; a leaflet designated "Are You A SINUS Victim?"; and placards designated "Are You a Sinus Victim? Ask About The New Tablet Treatment TRUMAC TABLETS"; and "TRUMAC TABLETS For the Palliative Relief of Pain Associated with Sinus Conditions."

LIBELED: 7–8–54, Dist. Kans.

CHARGE: 502 (a)—when the article was shipped, its bottle label and accompanying labeling contained false and misleading representations that the article was an adequate and effective treatment for sinus conditions.

DISPOSITION: 10–12–54. Default—destruction.

4796. Artritina tablets. (F. D. C. No. 37298. S. No. 40–268 L.)

QUANTITY: 48 100-tablet btls. at Phoenix, Ariz.

SHIPPED: 2–11–54, from Los Angeles, Calif., by Los Angeles Pharmacal Co.