3525. Misbranding of epsom salt. U. S. v. 3 Bags, etc. (F. D. C. No. 30374. Sample No. 13766–K.)

LIBEL FILED: January 10, 1951, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about May 3, 1950, by the Dow Chemical Co., from Midland, Mich., to Philadelphia, Pa.

PRODUCT: 3 100-pound bags and 72 8-ounce and 72 1-pound packages of *epsom salt* at York, Pa., in possession of the Morris Drug Co.

RESULTS OF INVESTIGATION: The article was shipped in 100-pound bags from Midland, Mich., to Philadelphia, Pa., and subsequently a number of bags were resold to the Morris Drug Co., York, Pa. and were relabeled.

LABEL, IN PART: (Bag) "Dow Epsom Salt U. S. P. Recrystallized * * * The Dow Chemical Company, Midland, Michigan"; (package) "Epsom Salt Dose—From one teaspoonful to one tablespoonful in water. Morris Drug Company * * * York, Penna."

NATURE OF CHARGE: Misbranding (bags and packages), Section 502 (f) (2), the labeling of the article failed to bear such adequate warnings as are necessary for the protection of users since it failed to warn that frequent or continued use of the article may result in dependence on laxatives to move the bowels, and that it should not be used when abdominal pain, nausea, vomiting, or other symptoms of appendicitis are present. The article was misbranded in the above respect when introduced into and while in interstate commerce.

Further misbranding (packages), Section 502 (b) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since its label contained no declaration of the quantity of the contents. The article was misbranded in this respect while held for sale after shipment in interstate commerce.

DISPOSITION: August 1, 1951. Default decree of condemnation and destruction.

DRUGS ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS

3526. Adulteration and misbranding of allyl isopropyl barbiturate sodium capsules. U. S. v. 20,000 Capsules * * *. (F. D. C. No. 31436. Sample No. 11182–L.)

LIBEL FILED: July 18, 1951, Northern District of Ohio.

ALLEGED SHIPMENT: On or about June 26, 1951, by the Diacin Chemical Co., from Detroit, Mich.

PRODUCT: 20,000 capsules of *allyl isopropyl barbiturate sodium* at Cleveland, Ohio. Examination showed that the product contained not more than 1.17 grains of allyl isopropyl barbiturate sodium per capsule.

LABEL, IN PART: "Each capsule contains allyl isopropyl barbiturate sodium 1½ Gr."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported or was represented to possess.

Misbranding, Section 502 (a), the label statement "Each capsule contains allyl isopropyl barbiturate sodium 1½ Gr." was false and misleading as applied to an article containing not more than 1.17 grains of allyl isopropyl barbiturate sodium per capsule.

DISPOSITION: August 21, 1951. Default decree of condemnation and destruction.