617. Misbranding of Lacto-Kelpol, Evitades, and chaulmoogra oil. U. S. v. 33 Bottles of Lacto-Kelpol, 10 Bottles of Evitades, and 19 Packages of Chaulmoogra Oil. Default decree of condemnation and destruction. (F. D. C. Nos. 4333 to 4335, incl. Sample Nos. 55412-E, 55413-E, 55415-E.)

The labeling of the Lacto-Kelpol failed to bear adequate directions for use, and that of all three products contained false and misleading claims.

On April 23, 1941, the United States attorney for the Western District of Washington filed a libel against the above-named products at Seattle, Wash., which had been consigned by Seal-Ins Laboratories, Inc., alleging that they had been shipped on or about August 15 and October 4, 1940, and January 4, 1941, from Los Angeles, Calif.; and charging that they were misbranded.

Analyses of samples of the articles showed that the Lacto-Kelpol consisted essentially of an emulsion of mineral oil, agar agar, lactic acid (approximately 1 percent), and water; that the Evitades tablets contained extracts of plant drugs; and that the chaulmoogra oil was labeled properly as to its identity.

The Lacto-Kelpol was alleged to be misbranded (1) in that the bottle label and carton failed to bear adequate directions for use by children, since the directions were indefinite as to quantity; (2) in that its name, "Lacto-Kelpol Lactic Acid Emulsion," was false and misleading since it owed its therapeutic value to ingredients other than lactic acid, and kelp was not one of its ingredients; and (3) in that representations in an accompanying circular that it would be of value in the treatment of certain types of diarrhea, colitis, dysentery, and constipation, were false and misleading since it would not be effective for such purposes.

Evitades was alleged to be misbranded in that the following statements in an accompanying circular, "Evitades is mild in sedative action. Useful in treating insomnia; also, nervous disturbances of the menstrual period," were false and misleading since it would not be efficacious for the purposes recommended.

The chaulmoogra oil was alleged to be misbranded in that statements in an accompanying circular representing that it was a preventive and appropriate treatment for various types of arthritis were false and misleading since it would not be efficacious for such purposes.

On June 17, 1941, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

618. Misbranding of Real-Lax Chewing Laxative. U. S. v. 104 Dozen Packages of Real-Lax Chewing Laxative. Default decree of condemnation and destruction. (F. D. C. No. 5996. Sample No. 72101-E.)

This product was a peppermint-flavored gum containing phenolphthalein, and its labeling failed to bear such adequate warnings as are necessary for the protection of users.

On October 8, 1941, the United States attorney for the Southern District of California filed a libel against 104 dozen packages of the above-named product at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about July 10 and August 7, 1941, by the Pennsylvania Drug Products Corporation from Pittsburgh, Pa.; and charging that it was misbranded.

The article was alleged to be misbranded in that its labeling failed to bear adequate warnings against use in those pathological conditions where its use might be dangerous to health or against unsafe duration of administration in such manner and form as are necessary for the protection of users, since the labeling failed to bear a warning against use when abdominal pain, nausea, vomiting, or other symptoms of appendicitis are present and against frequent or continued use which might result in dependence upon laxatives.

On October 28, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

619. Misbranding of Vinco Herb Tablets. U. S. v. 208 Small Boxes and 22 Large Boxes of Vinco Herb Tablets. Default decree of condemnation and destruction. (F. D. C. No. 5202. Sample Nos. 42425-E, 42426-E.)

The labeling of this product failed to bear adequate directions for use and such adequate warnings as are necessary for the protection of users and also bore false and misleading curative and therapeutic claims. Both sizes of packages were substantially larger than was necessary to hold the contents. The labeling of the small packages failed to bear certain mandatory labeling statements in such manner that they might be read and understood under ordinary conditions of purchase and use.