

ingredients, and its label did not bear the common or usual name of each active ingredient.

On February 21, 1942, pleas of guilty were entered and the court imposed a fine of \$10 on each of the defendants.

683. Misbranding of Life Line Tonic. U. S. v. John B. Kori (United States Remedy Co.). Plea of nolo contendere. Fine of \$100, and sentence of 6 months' imprisonment. Sentence suspended and defendant placed on probation for 1 year. (F. D. C. No. 5474. Sample No. 40426-E.)

The labeling of this product bore false and misleading claims regarding its therapeutic efficacy and its ingredients. It also failed to declare the kind and proportion of alcohol that it contained.

On September 15, 1941, the United States attorney for the Southern District of Florida filed an information against John B. Kori, trading as United States Remedy Co., Jacksonville, Fla., alleging shipment on or about October 17, 1940, from the State of Florida into the State of Pennsylvania of a quantity of Life Line Tonic which was misbranded.

Analysis showed that the article consisted of a water-glycerin solution containing large amounts of Epsom salt, smaller amounts of sodium sulfate and sodium phosphate and small amounts of quinine, iron, caffeine, saccharin and plant extractives including emodin.

The article was alleged to be misbranded: (1) "In that statements in the labeling which represented that it would be efficacious in the treatment of sour stomach, biliousness, colic, cramps due to gas, and temporary listlessness; that it would be beneficial in malarial and feverish conditions due to chills and colds; would check chills and malarial fever; would build resistance; would be efficacious in the treatment of colds, stuffiness of nasal passages, simple headache, neuralgia, and malarial fever; that it would be efficacious to keep the system clean and invigorated; and would be efficacious in the treatment of simple headache due to occasional constipation and neuralgia; that the distress and misery of common colds would generally be relieved within a few hours by it; that it would not be habit-forming; that it was a tonic and possessed value as a treatment in emergencies, as suggested by the name "Life-Line," were false and misleading since it would not be efficacious for such purposes, and might be habit-forming, i. e., might form the laxative habit. (2) In that it was fabricated from two or more ingredients and its label did not bear the common or usual name of each active ingredient, including the quantity, kind, and proportion of alcohol that it contained, since the common or usual name of each active ingredient and the quantity, kind, and proportion of alcohol did not appear on the outside container, namely, the carton. (3) In that the statement, "Active Ingredients—Ext. of Leaves and Flowering tops of Eupatorium Perfoliatum (Boneset), Extract Sacred tree bark (Rhamnus Purshiana) Sodium Phosphate, Sodium Sulphate, Iron & Ammonium Citrate, May Apple (Mandrake), Magnesium Sulphate (Epsom Salts), Citrated Caffein, Citric Acid, Quinine Sulphate, other ingredients," represented and suggested that it contained each of said ingredients and substances in amounts sufficient to be of therapeutic importance; whereas it did not contain boneset, iron and ammonium citrate, and citric acid in amounts which were therapeutically important.

On January 5, 1942, the defendant having entered a plea of nolo contendere, the court imposed a fine of \$100 and a sentence of 6 months' imprisonment. The jail sentence was suspended and the defendant was placed on probation for 1 year.

684. Misbranding of Venus Tablets. U. S. v. David Clarence Overpeck (Thoro Sales Service). Plea of nolo contendere. Fine, \$50. (F. D. C. No. 5543. Sample Nos. 30305-E, 31965-E.)

The label of this product bore false and misleading claims regarding its efficacy in the control of weight, and the bottle occupied only approximately 55 percent of the capacity of the carton.

On February 26, 1942, the United States attorney for the Southern District of California filed an information against David Clarence Overpeck, trading as Thoro Sales Service at Los Angeles, Calif., alleging shipment on or about May 6 and September 22, 1940, from the State of California into the State of Illinois of quantities of Venus Tablets that were misbranded.

Analyses of samples of the article showed that it was essentially a vegetable laxative containing rhubarb root, kelp, and other vegetable tissues.

The article was alleged to be misbranded: (1) In that the designation "Venus Tablets" on the bottle label and carton, the design of a slender woman, and

statements in an accompanying booklet were misleading since they created the impression that by virtue of its physiological activity when used as a part of the Venus Method of Weight Control, it would be of substantial effect in the control of body weight in enabling one to arrive at a satisfactory weight, in enabling one to obtain an ideal and slender form and that when so used it was appropriate and efficacious in the treatment of obesity; whereas it would not be efficacious for such purposes. (2) In that its container (carton) was so made, formed, or filled as to be misleading.

On March 30, 1942, the defendant entered a plea of nolo contendere and the court imposed a fine of \$25 on each of the two counts.

685. Misbranding of Sixty Minute Worm Expeller. U. S. v. Raymond G. Burfeind (Chemical Products Co.). Plea of guilty. Fine, \$25. (F. D. C. No. 4111. Sample No. 26103-E.)

The labeling of this product, which was in capsule form, bore false and misleading representations regarding its efficacy in the treatment of worms in dogs and cats.

On June 10, 1941, the United States attorney for the District of Minnesota filed an information against Raymond G. Burfeind, trading as Chemical Products Co., Ellsworth, Minn., alleging shipment within the period from on or about May 11 to on or about May 29, 1940, from the State of Minnesota into the State of Oregon of a quantity of worm expeller which was misbranded.

Analyses showed that the article consisted essentially of kamala, areca nuts, charcoal, a small amount of sugar, iron sulfate, and a minute amount of nicotine.

It was alleged to be misbranded in that statements in the labeling which represented and suggested that it was a safe, sure quick-action worm expeller and would be efficacious to expel worms from dogs, puppies, cats, and kittens in 60 minutes; that it would be efficacious in the treatment of tapeworms and stomach worms; that if used every 4 months, it would be efficacious to free dogs and puppies of worms; that it would reduce the danger of distemper, paralysis, eczema, and kindred diseases to a minimum; that it would be efficacious to worm breeding bitches, to worm puppies and "cut losses to practically no losses at all," and to keep older dogs free from worms; would reduce the danger of fits, paralysis, distemper, eczema, and kindred diseases to a minimum if used every 4 months; and would worm cats and assist in keeping them in good health if used every 4 months were false and misleading since it was not a safe, sure, quick-action worm expeller but was toxic and might be harmful and would not be efficacious for the aforementioned purposes.

It was alleged to be misbranded further in that the labeling was misleading, since it failed to reveal the fact material in the light of the representations made and suggested therein, and material with respect to the consequences which might result from its use, under conditions prescribed in the labeling or under such conditions of use as are customary or usual, namely, the fact that it was toxic and might be harmful.

On January 27, 1942, the defendant having entered a plea of guilty, the court imposed a fine of 25.

686. Misbranding of Dr. Gordshell's Salve. U. S. v. 16 Dozen Jars and 53 Jars of Dr. Gordshell's Salve. (F. D. C. No. 6650. Sample Nos. 59078-E, 59079-E, 59088-E.)

On January 2, 1942, the United States attorney for the District of Columbia filed a libel against 16 dozen 1-ounce jars and 53 2-ounce jars of Dr. Gordshell's Salve at Washington, D. C., alleging that the article had been shipped on or about September 23, October 17, and November 28, 1941, by the Gordshell Chemical Co. from Baltimore, Md.; and charging that it was misbranded.

Analyses of samples showed that the article consisted of fatty, waxy, and resinous materials containing volatile oils and a trace of alkaloid (not more than 0.002 percent).

The article was alleged to be misbranded: (1) In that the statement on the jar labels and cartons, "Contains: Stramonium Alk. .05%," was false and misleading since it contained not more than 0.002 percent, if any, stramonium alkaloids. (2) In that statements appearing in the labeling which suggested and represented that it was efficacious for skin irritations and boils and that its ingredients possessed unusual properties for promoting health were false and misleading since when used as directed, it would not be efficacious for treatment of many types of skin irritation, it would not be efficacious for boils, and its ingredients did not possess unusual qualities for promoting healing. (3) In that the labeling failed to