It was also alleged to be misbranded under the provisions of the law applicable to cosmetics, as reported in C. N. J. No. 85.

On April 13, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

734. Misbranding of Chek-A-Cold. U. S. v. 66 Packages and 69 Packages of Chek-A-Cold. Default decree of condemnation and destruction. (F. D. C. No. 7475. Sample No. 77023–E.)

On or about May 7, 1942, the United States attorney for the District of Delaware filed a libel against 135 packages of Chek-A-Cold at Newark, Del., alleging that the article had been shipped in interstate commerce on or about March 13, 1942, by Hance Bros. & White, Inc., from Philadelphia, Pa.; and charging that it was misbranded.

Examination of a sample of the article showed that it consisted essentially of extracts of plant drugs including an alkaloid-bearing drug, a small proportion of tartaric emetic, chloroform (0.97 minims per fluid ounce), alcohol, sugar, and water.

It was alleged to be misbranded in that the designation "Chek-A-Cold" and the statement "Each Fluid Ounce Contains: Chloroform . . . . . 4 minims," borne on the carton and bottle label, were false and misleading, since the article contained no ingredient capable of checking a cold and contained materially less than 4 minims of chloroform in each fluid ounce.

On May 27, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

735. Misbranding of Cook's Laxative Cold Breakers. U. S. v. 21 Dozen Packages of Cook's Laxative Cold Breakers. Default decree of condemnation and destruction. (F. D. C. No. 6306. Sample No. 59686–E.)

On or about November 28, 1941, the United States attorney for the Western District of Virginia filed a libel against the above-named product at Grundy, Va., alleging that the article had been shipped in interstate commerce on or about September 16, 1941, by the Thomas E. Cook Chemical Co. from Frederick, Md.; and charging that it was misbranded.

Analysis showed that the article contained acetophenetidin (approximately 1 grain per tablet), cinchonine sulfate (0.26 grain per tablet), camphor, aloin, podophyllin, and cayenne pepper.

The article was alleged to be misbranded in that statements in the labeling which represented that it was efficacious as a remedy for colds and the accompanying ailments, loss of appetite, etc., and that it would break colds, were false and misleading, since it would not be efficacious for such purposes. It was alleged to be misbranded further in that the statements in the labeling "They Contain No Quinine" and "if your druggist cannot supply you, * * * we will mail you a box direct from our laboratory," were false and misleading since the article contained cinchonine, a cinchona alkaloid having properties generally similar to those of quinine, which is also a cinchona alkaloid, and since the firm maintained no laboratory but merely repackaged medicines manufactured in other establishments.

On May 4, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

736. Misbranding of Gold Medal Compound Pills and Savatan. U. S. v. 9⅚ Dozen Packages of Gold Medal Compound Pills and 5½ Dozen Packages of Savatan. Default decree of condemnation and destruction. (F. D. C. Nos. 7099, 7100. Sample Nos. 72230–E, 72231–E.)

On March 27, 1942, the United States attorney for the Southern District of California filed a libel against the above-named drug products at Los Angeles, Calif., alleging that they had been shipped in interstate commerce on or about February 16, 1942, by the S. Pfeiffer Manufacturing Co. from St. Louis, Mo.; and charging that they were misbranded. They were labeled in part: "Gold Medal Compound Pills * * * Virginia Chemical Company, St. Louis, Mo." or "Savatan * * * S. Pfeiffer Manufacturing Co., St. Louis, Mo."

Analysis of a sample of the Gold Medal Compound Pills showed that they consisted essentially of iron sulfate and small amounts of volatile oils including oil of spearmint. Analysis of a sample of Savatan showed that each capsule contained approximately 5 minims of apiol.

The articles were alleged to be misbranded in that the following statements in the labeling were misleading since they represented and suggested