properties implied in the name "Pep-A-Man"; whereas it did not possess such properties.

On April 21, 1941, the defendant entered a plea of guilty and the court imposed a fine of $100 and placed the defendant on probation for 3 years.

427. Misbranding of Hillman's D Compound. U. S. v. David Hillman (Hillman Pharmaceutical Co.). Plea of guilty. Fine, $1 and costs. (F. D. C. No. 2866. Sample No. 4610–E.)

On November 15, 1940, the United States attorney for the Northern District of Illinois filed an information against David Hillman, trading as Hillman Pharmaceutical Co., Chicago, Ill., alleging shipment on or about February 5, 1940, from the State of Illinois into the State of Wisconsin of a quantity of Hillman's D Compound which was misbranded.

Analysis of a sample of the article showed that the capsules each contained aminopyrine (1.44 grains), a small proportion of ephedrine sulfate, and milk sugar, flavored with peppermint oil.

The article was alleged to be misbranded (1) in that it would be dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in the labeling; (2) in that its labeling did not bear adequate directions for use; (3) it did not bear adequate warnings against unsafe dosage or methods or duration of administration in such manner and form as are necessary for the protection of users. It was alleged to be misbranded further in that the labeling was false and misleading since it created the impression that the article constituted a safe and appropriate treatment for the conditions mentioned in the labeling; whereas it did not constitute a safe and appropriate treatment for the conditions mentioned in the labeling, but was a dangerous drug, and the labeling failed to reveal the material fact that this drug might cause serious blood disturbances. It was alleged to be misbranded further in that statements in the labeling representing that it would be efficacious in the treatment of dysmenorrhea (painful menstruation), would be efficacious in the treatment of cramps, backache, and headache which accompany menstruation, and would banish painful menstruation, were false and misleading since it would not be efficacious for such purposes.

On December 18, 1940, the defendant entered a plea of guilty and the court imposed a fine of $1 and costs.

428. Misbranding of Young's Preparation. U. S. v. Oscar Lee Brunson. Plea of guilty. Defendant placed on probation for 3 years. (F. D. C. No. 2931. Sample Nos. 537–E, 20701–E.)

This product would be dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in the labeling, in which it was recommended for the relief of itching skin and scalp and which contained directions that it should be well shaken and applied to afflicted parts two or three times a day; that if the parts were raw, it should be diluted with water until it could be used full strength and that it was natural for the drug to sting when first applied.

On March 11, 1941, the United States attorney for the Southern District of Georgia filed an information against Oscar Lee Brunson of Waycross, Ga., alleging shipment on or about March 4 and May 31, 1940, from the State of Georgia into the State of Florida, of quantities of Young's Preparation which was misbranded for the reasons appearing above.

The article was also alleged to be misbranded in violation of the Federal Caustic Poison Act, as reported in Notice of Judgment No. 105 published under that act.

On June 16, 1941, a plea of guilty having been entered, the defendant was placed on probation for 3 years.

429. Adulteration and misbranding of B-D-Mint Powders. U. S. v. 55 Cards of B-D-Mint Powders. Default decree of condemnation and destruction. (F. D. C. No. 3389. Sample No. 28215–E.)

This product would be dangerous to health when used as directed in the labeling and was not labeled to indicate the consequences that might result from its use. Its labeling also bore false and misleading representations regarding its curative and therapeutic efficacy and was further objectionable as indicated below.

On or about November 20, 1940, the United States attorney for the Western District of Virginia filed a libel against 55 cards, each carrying 28 envelopes