that it was a drug and its container was so made, formed, or filled as to be misleading.

On March 5, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

224. Misbranding of Wemett's Salve. U. S. v. 66 Packages of Wemett's Salve. Default decree of condemnation and destruction. (F. D. C. No. 1127. Sample No. 39966–D.)

This product was labeled with false and misleading representations regarding its efficacy in the conditions indicated below; and the tube containing it occupied only approximately 20 percent of the capacity of the carton.

On December 4, 1939, the United States attorney for the Western District of Washington filed a libel against 66 packages of Wemett's Salve at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about September 21, 1939, by F. J. Wemett from Los Angeles, Calif.; and charging that it was misbranded.

Analysis showed that it consisted essentially of salicylic acid (30.1 percent), incorporated in a petrolatum base.

It was alleged to be misbranded in that representations in the labeling that the first application would remove soreness; that it would reduce swelling, and that it would reduce the swelling and take out the soreness and inflammation of bunions were false and misleading since the article was not efficacious for the purposes so recommended. It was alleged to be misbranded further in that its containers were so made, formed, or filled as to be misleading.

On March 25, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DRUGS IN DECEPTIVE CONTAINERS OR MISLABELED AS TO QUANTITY OF CONTENTS[4]

225. Misbranding of Deo Eucalyptus Ointment. U. S. v. 66 Packages of Deo Eucalyptus Ointment. Default decree of condemnation and destruction. (F. D. C. No. 1386. Sample No. 83477–D.)

The tubes containing this product occupied less than 20 percent of the space in the cartons.

On January 16, 1940, the United States attorney for the District of Oregon filed a libel against 66 packages of Deo Eucalyptus Ointment at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about July 28 and November 6, 1939, by the Deo Eucalyptus Laboratories from Oakland, Calif.; and charging that it was misbranded in that its containers were so made, formed, or filled as to be misleading.

On March 5, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

226. Misbranding of Grove's Emulsified Nose Drops. U. S. v. 8 Dozen Packages of Grove's Emulsified Nose Drops. Default decree of condemnation and destruction. (F. D. C. No. 1454. Sample No. 78888–D.)

The containers of this product were deceptive since the contents, which consisted of a bottle, a dropper, and a circular, occupied not more than one-fourth of the total capacity of the carton.

On February 6, 1940, the United States attorney for the Western District of Pennsylvania filed a libel against 8 dozen packages of the above-named product at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about October 5, 1939, by Grove Laboratories, Inc., from St. Louis, Mo.; and charging that it was misbranded in that the containers were so made, formed, or filled as to be misleading.

On March 25, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

227. Misbranding of 666 Nose Drops. U. S. v. 96 Retail Packages of 666 Nose Drops. Consent decree of condemnation and destruction. (F. D. C. No. 1478. Sample No. 87673–D.)

The cartons enclosing this product each contained a bottle of a medicament, a dropper, a circular, and a large corrugated paper liner. The bottle of medicament occupied not more than one-fourth of the space in the carton.

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[4] See also N. J. Nos. 141, 159, 175, 178, 180, 181, 222, 224, 232, 233, 236, 237, 240–243, 248, and 249.