Decrease dosage in accordance with degrees of laxation required," were inappropriate for the article, since they suggested frequent and continuous consumption and were therefore inadequate.

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

342. Misbranding of Slendotabs. U. S. v. 80 Packages of Slendotabs. Default decree of condemnation and destruction. (F. D. C. No. 2532. Sample No. 16769–E.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter. The article contained strychnine, which fact was not declared on the label. Its labeling also failed to bear adequate directions for use and such adequate warnings as are necessary for the protection of users.

On or about August 16, 1940, the United States attorney for the Western District of Missouri filed a libel against 80 packages of Slendotabs at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about May 18, 1940, by Keneco Products from Elmira, N. Y.; and charging that it was misbranded.

Analysis showed that each tablet of the article contained approximately ½ grain of phenolphthalein, a resinous drug such as leptandra resin, compounds of iodine equivalent to 0.088 grain of iodine per tablet, and alkaloidal material including strychnine.

The article was alleged to be misbranded (1) in that its labeling represented that it would be efficacious in reducing excessive fat, that it was a scientifically balanced weight reduction method, and would help eliminate waste matter and accumulated poisons from the body, which representations were false and misleading since the article would not constitute an adequate or appropriate treatment for such purposes; (2) in that the labeling was misleading in that it failed to reveal that the article contained strychnine, a material fact in the light of the statement on the carton that the active ingredients were phenolphthalein, calcium iodized, and leptandrin. It was alleged to be misbranded further in that its label failed to bear a statement of the presence of and quantity of strychnine contained therein; in that its labeling failed to bear adequate directions for use, since the directions on the carton, "Take one or two tablets immediately before each meal, three times a day. For best results, take tablets regularly and faithfully, as directed. As these tablets are laxative, not more than six tablets should be taken in 24 hours," and the directions in the leaflet were not appropriate for an article of such composition and was therefore inadequate. It was alleged to be misbranded further in that the labeling failed to bear adequate warnings against use in those pathological conditions where its use might be dangerous to health and against unsafe dosage or methods or duration of administration in such manner and form as are necessary for the protection of users, since the labeling did not inform the purchaser of the danger involved in the use of the article in cases of appendicitis, nor did it warn that frequent or continued use might result in dependence upon laxatives, nor did the label reveal the fact the the use of the article might result in skin eruptions.

On October 23, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

343. Misbranding of Venus Tablets. U. S. v. 66 Cartons and 80 Cartons of Venus Tablets. Default decrees of condemnation and destruction. (F. D. C. Nos. 2265, 4094. Sample Nos. 30305–E, 31965–E.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter and failed to bear adequate directions for its use and such adequate warnings as are necessary for the protection of users. It was also deceptively packaged.

On June 25, 1940, and April 10, 1941, the United States attorney for the Northern District of Illinois filed libels against 146 cartons of Venus Tablets at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about May 6 and September 22, 1940, by the Thoro Sales Service from Los Angeles, Calif.; and charging that it was misbranded.

Each carton contained a bottle labeled "Venus Tablets" and an envelope labeled "Sample Tablets V–76 Laxative Tablets." Analyses showed that the Venus Tablets contained rhubarb root, kelp, Irish moss, and green leafy material; and that the V–76 Tablets contained dried rhubarb root, cranberries, and green leafy mate-

rial. The carton was nearly 1 inch taller than was necessary to hold the bottle and sample.

The article was alleged to be misbranded in that its labeling was false and misleading since it created the impression that the article, by virtue of its physiological activity, would have a substantial effect in the control of body weight, would enable one to arrive at a satisfactory weight, would enable one to attain an ideal and slender form, and would cause one to lose ugly fat, feel better and look better; whereas it would not be efficacious for such purposes.

It was alleged to be misbranded further in that its labeling failed to bear adequate directions for use of the Venus Tablets and V–76 Laxative Tablets and failed to bear adequate warnings against their use by children or 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 its container, i. e., carton, was so made, formed, or filled as to be misleading.

On October 21, 1940, and May 13, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

344. Misbranding of Wittone. U. S. v. 180 Dozen Bottles of Wittone. Default decree of condemnation and destruction. (F. D. C. No. 2331. Sample No. 1662–E.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter. Its labeling was further objectionable because of misleading representations regarding the quantities of certain minerals present, regarding its alleged tonic effects and because of failure to bear adequate directions and adequate warnings as required by law.

On July 8, 1940, the United States attorney for the District of Columbia filed a libel against 180 dozen bottles of Wittone at Washington, D. C., alleging that the article was being offered for sale in the District of Columbia at the Wittone Sales Agency of United Distributors, Inc., of Louisville, Ky., at Washington, D. C.; and charging that it was misbranded.

Analysis showed that the article consisted essentially of a water solution of Epsom salt (29.5 grams per 100 cc.) together with essentially inconsequential proportions of iron and ammonium citrate (0.8 gram per 100 cc.), sodium salicylate (0.5 gram per 100 cc.), sodium phosphate (0.7 gram per 100 cc.), sodium bicarbonate, and flavoring materials.

The article was alleged to be misbranded in that representations in the labeling that it was efficacious for the health, would help one eat well, sleep well, and keep well; that it was efficacious in bilious spells, dizziness, headaches, sour stomach, dull tired-out feeling, coated tongue, bad taste, and loss of appetite; that it was efficacious to correct the results of over-indulgence and constipation; would correct the cause of restless nights; that it was a mild diuretic and would stimulate elimination of urea and uric acid, regulate elimination, keep the system free from impurities, aid the blood, and cleanse the intestinal tract, were false and misleading since it would not be efficacious for such purposes.

It was alleged to be misbranded further in that the word "Tone," forming a part of the name "Wittone" appearing in the labeling, was false and misleading because the article contained no significant amount of tonic ingredient and would not act as a tonic. It was alleged to be misbranded further in that the statements in the labeling, "Ingredients—Epsom Salts (Magnesium Sulphate), 3.3 oz. Iron and Ammonium Citrate, 40 grs.; Sodium Salicylate, 27 grs.; Sodium Phosphate, 27 grs.; Sodium Bicarbonate, 40 grs.; Oil of Cassia, 2 7/10 min.; Oil of Cloves, 9/10 min.; Saccharine, 3 6/10 min.," were false and misleading since they failed to reveal the material fact that the amounts of iron and ammonium citrate, sodium salicylate, sodium phosphate, and sodium bicarbonate in the product, were in inconsequential proportions when the medicine was consumed in accordance with the directions in the labeling.

It was alleged to be misbranded further in that the statements in the labeling, (contact card) "Please Contact: Name ——— Address ——— City ——— State ——— I am confident he will be relieved of ——— through the consistent use of Wittone as I have been benefited," and the statements (business reply card) "Wittone Representative: I would like to use Wittone. Please deliver to me a bottle of your Famous and Celebrated Medicine for I believe Wittone will benefit me as it has countless other suffering people," were false and misleading since it was not efficacious for the purposes recommended.

It was alleged to be misbranded further in that the labeling failed to bear adequate directions for use since the directions appearing on the bottle, as follows, "Adults—1 to 2 tablespoonfuls once or twice a day in water before