

device directly or indirectly, further introducing or delivering for introduction into interstate commerce or causing such act, any device named "Magnetic Ray Appliance," or "Magnetic Ray Instrument," or any similar device similarly labeled in the manner as the said device.

**884. Misbranding of Compound Syrup of White Pine and Tar, Medical Compound for Women, and VeDor No. 578 Injection. U. S. v. Primrose R. Devore (Drug Products Co.). Plea of guilty. Fine, \$1,500 and 6 months in jail. (F. D. C. No. 7238. Sample Nos. 49046-E, 49048-E, 49049-E.)**

On June 29, 1942, the United States attorney for the Southern District of Ohio filed an information against Primrose R. Devore, trading as Drug Products Co., Columbus, Ohio, alleging shipment on or about June 18 and September 4, 1941, from the State of Ohio into the State of Texas of quantities of the above-named products.

Analysis of a sample of Compound Syrup of White Pine and Tar showed that it consisted essentially of small proportions of ammonium chloride, pine tar, menthol and methyl salicylate, sugar, alcohol, and water. The article was alleged to be misbranded (1) in that the name "Compound Syrup of White Pine And Tar Not U. S. P." was false and misleading as it created the impression that the article was "Compound Syrup of White Pine," recognized in the National Formulary, to which tar had been added; and (2) in that the following statements were false and misleading since the article would not be efficacious for these conditions: "A Combination of Meritorious Ingredients Highly Beneficial in Temporary Pulmonary Conditions Caused by Exposure," and "A Successful Preparation for the Treatment of \* \* \* Ordinary Colds, Bronchial Irritations \* \* \* Temporary Relief for \* \* \* Colds \* \* \* Bronchitis, etc."

Analysis of a sample of the Medical Compound for Women showed that it consisted essentially of extracts of plant drugs, including an alkaloid-bearing drug, sugar, and water, preserved with benzoic acid. The article was alleged to be misbranded in that the statement "Medical Compound for Women" was false and misleading as the drug was not efficacious in the cure, mitigation, treatment, or prevention of diseases or ailments of women.

Analysis of a sample of VeDor No. 578 Injection showed that it consisted essentially of small proportions of zinc sulfate, lead acetate, and water. The article was alleged to be misbranded (1) in that the statement "Use in connection with Anti-Gon Internal No. 578" was false and misleading since it implied that this article constituted a part of a treatment for gonorrhea and that when used in connection with another drug, Anti-Gon Internal No. 578, it would be efficacious in the treatment of gonorrhea, whereas the article had no value either alone or in conjunction with such other drug in the treatment of that disease; (2) in that the label failed to declare the common name of each active ingredient since zinc sulfate was not declared; and (3) in that it was a drug in package form and the label failed to bear an adequate statement of the quantity of the contents.

On October 21, 1942, the defendant entered a plea of guilty, whereupon the court imposed a fine of \$500 on each of the 3 counts, a total of \$1,500, and 6 months in jail on each of the 3 counts, the jail sentences to run concurrently.

**885. Misbranding of Glucocinine. U. S. v. Eric M. Boehnke (Glucocinine Company of America). Plea of guilty. Fine, \$300 and 4 months in jail. (F. D. C. No. 5581. Sample No. 31575-E.)**

On May 13, 1942, the United States attorney for the Eastern District of New York filed an information against Eric Boehnke, trading as Glucocinine Co. of America, at Richmond Hill, N. Y., alleging shipment on or about January 23, 1941, from the State of New York into the State of Michigan of a quantity of Glucocinine which was misbranded.

The article was alleged to be misbranded in that certain statements in the labeling, and a graph purporting to show the reduction of blood sugar brought about by use of the article in experimental animals, were false and misleading in that they represented and suggested that the article would be efficacious in the treatment of light and medium cases of diabetes mellitus, that it would be efficacious as a preventative of diabetes, that it would act beneficially on the pancreas and would arouse the pancreas to new activity, and that it would be efficacious to clear the urine of sugar and reduce the blood sugar to a negative point, whereas it would not be efficacious for such purposes.

It was alleged to be misbranded further in that the statements: "Plant Insulin substances," "Glucocinine \* \* \* is PLANT INSULIN, i. e., substances which occur in large quantities in certain plants and may be regarded as the

origin of insulin," "used daily by thousands of diabetics with best results. It is endorsed by Clinics, sanitariums and physicians," and "free from carbohydrates," appearing in the labeling, were false and misleading since they represented that the article was plant insulin, i. e., an insulin-like substance obtained from plants; that it consisted of substances which might be regarded as the origin of insulin; that it was endorsed in general by clinics, sanitariums, and physicians; and that it was free from carbohydrates, whereas it was not plant insulin; did not consist of substances which might be regarded as the origin of insulin; was not endorsed in general by clinics, sanitariums, and physicians; and was not free from carbohydrates, since it contained starch which is a carbohydrate.

On May 6, 1943, a plea of guilty having been entered, the court imposed a fine of \$300 and a sentence of 4 months in jail.

**886. Misbranding of Glucocinine. U. S. v. Eric M. Boehnke (Ericus Products Co.). Plea of guilty. Defendant given suspended sentence of 1 year and placed on probation for 2 years. (F. D. C. No. 7252. Sample No. 47691-E.)**

On April 3, 1943, the United States attorney for the Eastern District of New York filed an information against Eric M. Boehnke, trading as the Ericus Products Co., at Jamaica, N. Y., alleging shipment on or about December 11, 1941, from the State of New York into the State of Illinois of a quantity of Glucocinine which was misbranded.

Analysis of a sample of the article showed that it consisted essentially of powdered plant tissues, including starch.

It was alleged to be misbranded in that certain statements appearing in the labeling were false and misleading in that they represented and suggested that the articles would be efficacious in the treatment of mild and medium cases of diabetes mellitus, that it would be efficacious to build up the pancreas gland (islets of Langerhans), that it would bring about gradual but lasting alleviation of diabetes; that its use would prevent constitutional breakdown and gangrene in diabetes, that it was more valuable than insulin in the treatment of diabetes, that it would act beneficially on the pancreas and would stimulate the pancreas gland to produce insulin of its own, and that by its use the diabetic could be more liberal in his diet and the tolerance of diabetics for carbohydrates would become greater and greater, whereas it would not be efficacious for such purposes.

It was alleged to be misbranded further in that the statements: "Glycocinine (Vegetable Insulin)," "The medical treatment as a whole in diabetes is for the most part unsatisfactory, unbiological and unscientific," "Honest and conscientious physicians have dropped it for mild and medium cases long ago," "Glucocinine (Plant Insulin) \* \* \* Unlike regular insulin it has the exceptional quality of being able to be administered orally and still retain its full effectiveness. Indeed, it works more slowly than Insulin, but its results are much more permanent and hence more valuable. \* \* \* in short the chief differences between Insulin and Glucocinine are these:—Insulin (important for first aid in severe cases) brings quick results but is habitual and by using it continuously the disease usually progresses. Whereas Glucocinine, on the other hand, works slowly but surely by which the progress of the disease recedes more and more and the tolerance for carbohydrates becomes greater and greater," were false and misleading since the article was not an insulin-like substance obtained from plants; medical treatment in diabetes is not for the most part unsatisfactory, unbiological, or unscientific; honest and conscientious physicians have not dropped insulin for all mild or medium cases of diabetes; the effects resulting from the use of the article were not permanent and were not more valuable than those resulting from the use of insulin; and the article did not differ from insulin only in the respects set forth in the statements aforesaid, but did differ from insulin in the further respect that insulin has the capacity, property, and power of reducing blood sugar, whereas the article Glucocinine did not have such capacity, property, or power.

On May 6, 1943, the defendant having entered a plea of guilty, the court imposed a suspended sentence of 1 year and placed the defendant on probation for 2 years.

**887. Misbranding of menstruation tablets, herb tea, and hair pomade. U. S. v. Bernard McBrady (J. E. McBrady & Co.). Pleas of guilty. Sentenced to 1 hour in the custody of the United States marshal. (F. D. C. No. 7287. Sample Nos. 30484-E to 30487-E incl., 47868-E, 47869-E, 47871-E, 47872-E.)**

On September 15, 1942, the United States attorney for the Northern District of Illinois filed an information against Bernard McBrady, trading as J. E. McBrady & Co., Chicago, Ill., alleging shipment on or about July 28 and 29 and December 12, 1941, from the State of Illinois into the State of Michigan of quantities of Menstruation Tablets, Herb Tea, and Hair Pomade.