

On April 7, 1943, the case came on for trial before the court and a jury. The trial was concluded on April 8, 1943, and the jury returned a verdict of guilty. The court imposed a sentence of 1 year in the custody of the Attorney General, but suspended the sentence and placed the defendant on probation for 5 years.

932. Misbranding of "SNL." U. S. v. Mrs. Cora Lee Wiley (The SNL Co.) Plea of nolo contendere. Defendant placed on probation for 5 years. (F. D. C. No. 7247. Sample Nos. 944-E, 37930-E, 48065-E, 69586-E.)

The labeling of this product contained false and misleading therapeutic claims and did not bear an accurate statement of the quantity of the contents in terms of measure, or a statement of the quantity or proportion of the alcohol in the product.

On June 5, 1942, the United States attorney for the Middle District of Georgia filed an information against Mrs. Cora Lee Wiley, trading as the SNL Co., Adel, Ga., alleging shipment on or about May 27 and July 19, 1941, from the State of Georgia into the States of Florida and New Jersey of quantities of "SNL" which was misbranded. Portions of the article were labeled in part: (Bottle) "SNL (Suffer No Longer)."

Analysis of samples of this drug showed that it consisted essentially of iodine, boric acid, organic silver compound, iodide, sulfate, a small amount of magnesium compound, alcohol, glycerine, and water.

The drug was alleged to be misbranded in that it was in package form and its label failed to bear an accurate statement of the quantity of the contents in terms of measure; and in that it was not designated solely by a name recognized in an official compendium and was fabricated from two or more ingredients and its label failed to bear a statement of the quantity or proportion of alcohol contained in the drug.

One shipment of the article was alleged to be misbranded further in that certain statements appearing in the labeling which represented and suggested that the article would end suffering; that it would be an effective relief for female trouble, soreness in the abdomen, and aching hips; that, when used with the positions described in the statements, it would aid in replacing the female organs and would relieve strained sore muscles, and that it would be effective as a dressing for the tenderest old sores and such were false and misleading since it would not be efficacious for such purposes.

The remaining shipments were alleged to be misbranded further in that certain representations in the labeling that the article would end suffering; that it was an effective relief for female trouble, soreness in the abdomen and aching hips; that it would prevent the aging process in the individual; that it would be effective in the treatment of infected female organs, nervousness, muddy, sallow complexions, aching head, hips, limbs, and other aches and pains; that it would be effective in the cure, mitigation, treatment, or prevention of a weakened condition due to female trouble; that it would protect women against every germ including tuberculosis, and would enable the user to overcome despondency, worry, poverty, half-aliveness, apathy, lethargy, resignation, and hopelessness; that it would enable the user to build health, happiness, strength, beauty, and to increase the length of life; that it would penetrate sore, congested organs at once; would relieve discharge or painful menses; that it would condition the female organs while in change of life; and that when used with the positions described in the labeling, it would relieve bearing-down pains, sore muscles, and would replace fallen wombs; and in that certain additional representations in the labeling of two of such shipments that the drug would aid in replacing the female organs and would relieve strained, sore muscles and that it would be effective as a dressing for the tenderest old sores and such were false and misleading since the drug would not be efficacious for such purposes.

On March 16, 1943, the defendant having entered a plea of nolo contendere, the court placed the defendant on probation for 5 years, conditioned that she should not deal in the above-named drug except with the consent of the Food and Drug Administration.

933. Misbranding of coconut milk and powdered milk of soya bean. U. S. v. John Bruno Radcliffe (Radcliffe Soya Products). Plea of guilty. Defendant placed on probation. (F. D. C. No. 7260. Sample Nos. 13603-E, 13800-E, 21643-E, 21644-E, 63220-E.)

On August 11, 1942, the United States attorney for the Northern District of California filed an information against John Bruno Radcliffe, trading as Radcliffe Soya Products, San Francisco, Calif., alleging shipment within the period from