

treatment for any form of such infections, but was essentially a laxative; and (2) in that its labeling failed to bear adequate directions for use since the directions appearing in the labeling "2 tablets about 2 hours after Breakfast and 2 tablets at Bedtime" represented and suggested that the article be taken repeatedly, whereas a laxative should not be directed to be taken repeatedly and such representation and suggestion was not corrected by the label statement "To avoid the 'laxative habit' do not take continuously."

On March 29, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**956. Misbranding of My Prescription, and Pink-etts. U. S. v. 23 Packages of My Prescription. Default decree of condemnation and destruction. (F. D. C. No. 8863. Sample No. 19021-F.)**

On November 16, 1942, the United States attorney for the District of New Jersey filed a libel against 23 packages, each package containing a bottle of liquid labeled in part "My Prescription" and an envelope containing 3 pills labeled in part "Pink-etts," at Newark, N. J., alleging that the articles had been shipped in interstate commerce on or about October 27, 1942, from Honesdale, Pa., by F. X. Crockenberg; and charging that they were misbranded.

Examination of samples of the articles showed that the "My Prescription" consisted essentially of bismuth and ammonium compounds, including citrates, sugar, gum, ginger, and water, and that the "Pink-etts" contained a laxative plant drug.

The articles were alleged to be misbranded in that the statements appearing in their labeling, (carton and bottle label) "For Your Stomach A Remedy For Stomach Ills \* \* \* Corrective and Digestant, used in the treatment of Gastric and Duodenal Ulcers," (labels for Pink-etts) "For \* \* \* Liver Trouble, Etc.," (circular) "Stomach Disorders and Their Causes Gastric and Duodenal Ulcers Gastritis Indigestion Gas Pains and all Stomach Disorders 'My Prescription' has been successfully used by hundreds of users. \* \* \* We recommend the use of at least three bottles for permanent relief. \* \* \* The story on the following pages gives you some idea as to the symptoms of stomach disorders and how they are treated. In taking 'My Prescription' all that is necessary is to avoid the things that you know are harmful, in order to give the medicine a quicker and better action," and other circular statements discussing stomach ulcer, were false and misleading since such statements represented and suggested that "My Prescription" was effective in the treatment of diseases of the stomach, and that the "Pink-etts Pills" were effective in the treatment of liver trouble and various conditions included in the designation "etc", whereas the articles were not effective for such purposes.

Further misbranding was alleged in that both products were drugs in package form and their labels failed to bear accurate statements of the quantity of the contents contained therein; and in that the "Pink-etts" were fabricated from two or more ingredients and the label failed to bear the common or usual name of each active ingredient, and in that the labeling failed to bear such adequate warnings against use of the article in those pathological conditions wherein its use might be dangerous to health, and against unsafe dosage and methods and duration of administration, in such manner and form as are necessary for the protection of users, since the article was a laxative and its labeling failed to warn that a laxative should not be taken in case of nausea, vomiting, abdominal pain, or other symptoms of appendicitis, and that frequent or continued use might result in dependence upon laxatives to move the bowels.

On January 4, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**957. Misbranding of Natur-Pep. U. S. v. 80 Bottles of Natur-Pep. Decree of destruction. (F. D. C. No. 8688. Sample No. 2642-F.)**

Examination showed that the article consisted essentially of Epsom salt (30.9 percent), water, small amounts of iron phosphate, sodium and potassium compounds, methenamine, a salicylate, and extracts of plant drugs including a laxative plant drug.

On or about November 9, 1942, the United States attorney for the Western District of Missouri filed a libel against 80 bottles of Natur-Pep at Kansas City, Mo., alleging that the article had been shipped in interstate commerce from Kansas City, Kans., by the Curts-Folse Laboratories; and charging that it was misbranded.