

anemic people and persons with disordered stomachs, or persons whose sexual organism is disordered; that the drug *Prescription 1-NN-1* would be effective in the cure, mitigation, treatment, or prevention of sleeplessness and nervousness; that the *Prescription 1-H-7* would be effective in the cure, mitigation, treatment, or prevention of constipation, difficult bowel movement, and irregular bowel elimination, bloated stomach, gasses, wind, headache, discomfort, poor appetite, bad breath, weary feeling, impure blood, and poor digestion (with statement that inflamed or clogged bowel causes those conditions); that the *Prescription 1-RR-7* would be effective in the cure, mitigation, treatment, or prevention of rush of blood, high blood pressure, burning fever, headaches, buzzing in the ears, shortness of breath or difficult breathing, swollen or puffed-up face, nosebleed, attacks in the head, strong urine, scant urine, and swollen legs; and that it would be effective to restore easier breathing, promote normal blood circulation and health, and enable a person who is 60 years old to look 40 and feel like 30; and that the *Tonic AAA* would be effective to promote strength and nourishment in school children; that it would be excellent for the sound development and nourishing of weak and feeble children; that it would improve the appetite; and that it would build up the lungs and bones and make children generally healthy and gay.

The drugs referred to in the labeling of the *Hair Milk* would not be efficacious for the purposes represented. Furthermore, an inflamed or clogged bowel does not cause the conditions referred to in the labeling of the *Prescription 1-H-7*.

The information also alleged that the drugs referred to in the labeling of the *Hair Milk*, with the exception of the *Tonic AAA*, together with another drug known as *Stanley's Stomach Powder*, were misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 1553.

DISPOSITION: A plea of not guilty having been entered on behalf of the defendant, the case came on for trial before a jury on October 24, 1944. The jury returned a verdict of guilty, and, on October 25, 1944, the court sentenced the defendant to serve 57 days in jail.

COSMETICS ACTIONABLE BECAUSE OF FAILURE TO BEAR MANDATORY LABELING*

144. Misbranding of cold cream. U. S. v. Benjamin Ansehl Co. Plea of nolo contendere. Fine, \$100. (F. D. C. No. 20475. Sample Nos. 51122-H, 51123-H.)

INFORMATION FILED: September 3, 1946, Eastern District of Missouri, against the Benjamin Ansehl Co., a corporation, St. Louis, Mo.

ALLEGED SHIPMENT: On or about January 28 and February 13, 1946, from the State of Missouri into the State of Minnesota.

LABEL, IN PART: "Cold Cream 12 Oz. Saint Louis by Vivani," or "Cream Containing Olive Oil 12 Oz. by Vivani The Benjamin Ansehl Co. St. Louis."

NATURE OF CHARGE: Misbranding, Section 602 (b) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the jars contained less than 12 ounces.

DISPOSITION: September 14, 1946. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$50 on each count, a total fine of \$100.

145. Misbranding of cold cream. U. S. v. 23 Cases and 14½ Cases of Cold Cream. Default decree of condemnation and destruction. (F. D. C. No. 19397. Sample Nos. 51122-H, 51123-H.)

LIBEL FILED: March 28, 1946, District of Minnesota.

ALLEGED SHIPMENT: On or about January 28 and February 13, 1946, by the Benjamin Ansehl Co., from St. Louis, Mo.

PRODUCT: 23 cases, each containing 12 jars, and 14½ cases, each containing 24 jars, of *cold cream* at Minneapolis, Minn. Samples taken from both lots of this product were found to be short-weight.

LABEL, IN PART: "Cream Containing Olive Oil 12 Oz. By Vivani," or "Cold Cream 12 Oz. By Vivani."

*See also No. 142.