On March 16, 1939, the B. C. Remedy Co., claimant, having petitioned that it be permitted to withdraw its claim and answer, such petition having been granted, and no answer or defense being before the court at that time, judgment of condemnation was entered and the product was ordered destroyed.

2. Misbranding of Stanback Headache Powders. U. S. v. 309 Dozen Packages of Stanback Headache Powders. Default decree of condemnation and destruction. (F. D. C. No. 207. Sample Nos. 44801–D, 44863–D.)

These powders contained acetanilid, potassium bromide, aspirin, caffeine, and a trace of sodium bicarbonate. They would be dangerous to health when used in the dosage or with the frequency prescribed, recommended, or suggested in the labeling, which bore directions that one powder be taken for relief of the discomfort of simple headache and neuralgia, and muscular aches and pains, and that another powder might be taken in 30 minutes if necessary; that one powder be taken as a sedative, to be repeated in 2 or 3 hours if necessary, and that one powder be taken at the first sign of a cold and one 2 hours later for relief of the discomfort of simple head colds; and stated that one powder at night just before retiring was especially recommended for such head colds. Its labeling failed to reveal facts material with respect to the consequences which might result from its use under the conditions of use prescribed in the labeling and failed to bear warnings against use in those pathological conditions in which its use might be dangerous to health, or against unsafe dosage or duration of administration.

On March 23, 1939, the United States attorney for the Northern District of Georgia filed a libel against 309 dozen packages of Stanback Headache Powders at Atlanta, Ga., alleging that the article had been shipped in interstate commerce within the period from on or about January 12 to on or about March 8, 1939, by the Stanback Co. from Salisbury, N. C.; and charging that it was misbranded for the reasons appearing hereinbefore.

On April 15, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3. Misbranding of Goody's Headache Powder. U. S. v. 1,524 Envelopes of Goody's Headache Powder. Default decree of condemnation and destruction. (F. D. C. No. 211. Sample No. 45525–D.)

These powders contained potassium bromide, acetanilid, aspirin, and caffeine. They would be dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in the labeling, which directed that for headaches and neuralgia one powder be taken, and repeated in 2 hours if necessary, with succeeding doses in 3 or 4 hours if necessary; that for muscular aches and pains one powder be taken and repeated in 3 or 4 hours as required; that as a sedative for discomfort of headaches due to automobile and train travel, one powder be taken and repeated in 2 hours if necessary; that for simple head colds and for reducing simple fever one powder be taken as soon as symptoms appear, to be repeated in 3 or 4 hours if required. Its labeling also failed to reveal facts material in the light of the said directions and similar representations on the envelope, and failed to reveal facts material with respect to consequences which might result from use of the article under the conditions of use prescribed in the labeling, and failed to bear adequate warnings against use of the article in those pathological conditions or by children where its use might be dangerous to health, or against unsafe dosage or methods or duration of administration, in such manner and form as are necessary for the protection of users.

On April 4, 1939, the United States attorney for the Eastern District of South Carolina filed a libel against 1,524 envelopes of Goody's Headache Powder at Columbia, S. C.; alleging that the article had been shipped in interstate commerce on or about March 1, 1939, by Goody's, Inc., from Winston-Salem, N. C.; and charging that it was misbranded for the reasons appearing above.

On May 24, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4. Misbranding of B-B Headache Powders. U. S. v. 596 Envelopes of B-B. Default decree of condemnation and destruction. (F. D. C. No. 215. Sample No. 45524–D.)

These powders contained potassium bromide, acetanilid, aspirin, and caffeine. They were recommended in the labeling as a quick relief of pain and discomfort due to muscular aches, head colds, simple headaches, simple neuralgias, periodic

pains, and as a sedative in simple nervousness. They would be dangerous to health when used in the dosage or with the frequency or duration so prescribed, recommended, or suggested. The labeling failed to reveal facts material in the light of the representations set forth in the said labeling or material with respect to consequences which might result from the use of the article under the conditions of use prescribed therein, and failed to bear adequate warnings against its use in those pathological conditions or by children where its use might be dangerous to health, or against unsafe dosage or methods or duration of administration or application, in such manner and form as are necessary for the protection of users.

On April 4, 1939, the United States attorney for the Eastern District of South Carolina filed a libel against 596 envelopes of B-B Headache Powders at Columbia, S. C.; alleging that the article had been shipped in interstate commerce on or about March 7, 1939, by Specialty Sales Co. from Atlanta Ga.; and charging that it was misbranded for the reasons appearing hereinbefore.

On June 6, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5. Misbranding of Hed-Lyte. U. S. v. 93 Bottles of Hed-Lyte. Default decree of condemnation and destruction. (F. D. C. No. 225. Sample No. 38055-D.)

This drug contained acetanilid, sodium bromide, and caffeine. Its labeling contained representations that it would relieve pain in simple headaches, simple neuralgia, and muscular aches and pains; that it was indicated in feverish conditions due to colds and for nervousness due to excesses; that it would lessen the perception of pain and distress during menstruation and generally result in increased comfort, and was of value in relieving nervousness and simple headache which might be attributed to or might follow alcoholic or tobacco excess. The labeling contained directions that 2 teaspoonfuls be taken in water, to be repeated in 30 or 40 minutes if not relieved, and that the third dose should not be taken until 2 hours after the second, with dosage for children in proportion.

It would be dangerous to health when used in the dosage or with the frequency or duration so prescribed, recommended, or suggested and its label failed to reveal facts material with respect to consequences which might result under the conditions of use prescribed in its labeling or under such conditions of use as are customary or usual and failed to bear adequate warnings against its use in those pathological conditions or by children where its use might be dangerous to health, or against unsafe dosage or methods or duration of administration in such manner and form as are necessary for the protection of users.

On May 1, 1939, the United States attorney for the Western District of Louisiana filed a libel against 93 bottles of Hed-Lyte at Shreveport, La.; alleging that the article had been shipped in interstate commerce on or about March 6, 1939, by the Hed-Lyte Co. from Dallas, Tex.; and charging that it was misbranded for the reasons stated above.

On June 30, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6. Misbranding of Dixie Fever and Pain Powder. U. S. v. 243 Packages and 193 Packages of Dixie Fever and Pain Powder. Default decrees of condemnation and destruction. (F. D. C. Nos. 217, 218. Sample Nos. 36991-D, 36992-D.)

These powders contained acetanilid, sodium bicarbonate, caffeine, and charcoal. They would be dangerous to health when used in the dosage or with the frequency prescribed, recommended, or suggested in the labeling which contained directions that for simple headache, neuralgia, head colds, and general relief of inorganic pains, one powder be taken, to be repeated in 2 hours if necessary, that in case of fever, one powder be taken every 2 hours until fever is reduced, that if the fever is very high ½ powder be taken every hour, that for children 8 to 12 years of age, ¼ to ½ a powder be given according to age every 2 hours.

On April 12, 1939, the United States attorney for the Western District of Oklahoma filed a libel against 436 packages of Dixie Fever and Pain Powder at Oklahoma City, Okla.; alleging that the article had been shipped in interstate commerce on or about December 12, 1938, and January 12, 1939, by the Swamp & Dixie Laboratories, Inc., from Fort Smith, Ark.; and charging that it was misbranded for the reasons appearing hereinbefore.

On May 13, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.