7. Misbranding of E E Powders. U. S. v. 936 Cartons of E. E. Powders. Default decree of condemnation and destruction. (F. D. C. No. 197. Sample No. 44932–D.)

These powders contained acetanilid, acetylsalicylic acid, and potassium bromide, and would have been dangerous to health when used as prescribed, recommended, or suggested in the labeling. They were recommended in the labeling for the relief of simple headache, neuralgia, muscular aches and pains, head colds, and as an aid in reducing fever, with directions that 1 powder be taken and repeated in 1 hour, if needed, for simple headache; that 1 powder be taken every 3 hours for head colds and for reducing fever, and that ½ powder be given to children under 10 years of age every 3 hours. Its labeling also failed to reveal facts material with respect to the consequences which might result from its use under conditions of use prescribed therein and failed to bear warnings against 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. The labeling was further objectionable because of the misleading statement on the envelope and shipping cartons that each powder contained 4 grains of acetanilid, since each powder contained approximately 4.99 grains of acetanilid.

On March 10, 1939, the United States attorney for the Western District of North Carolina filed a libel against 936 cartons of E E Powders at Lincolnton, N. C.; alleging that the article had been shipped in interstate commerce on or about October 7, 1938, by the E E Medicine Co. from Greenville, S. C.; and charging that it was misbranded.

The libel alleged that the article was also misbranded in violation of the Food and Drugs Act of June 30, 1906, reported in notice of judgment No. 30881 published under that act.

On April 8, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8. Misbranding of Causalin. U. S. v. 44 Packages of Causalin (and 4 other seizure actions against the same product). Default decrees of condemnation and destruction. (F. D. C. Nos. 14, 69, 70, 71, 72. Sample Nos. 25962–D, 25963–D, 25964–D, 30071–D, 30074–D, 30092–D, 30097–D, 35567–D, 35569–D, 35570–D.)

This product consisted of capsules and tablets containing aminopyrine (aminodimethylpyrazolon), salicylic ethyl ester carbonate, and a sulfonate such as quinolinesulfonate. It would be dangerous to health when used in the dosage, or with the frequency prescribed, recommended, and suggested in the labeling in which it was recommended that it be taken in the dosage as directed by the physician, that is, 1 to 2 tablets or capsules 3 times a day ½ hour before meals.

On July 27, September 1, and September 8, 1938, the United States attorneys for the District of New Jersey, District of Rhode Island, and the Eastern District of Pennsylvania filed libels against 44 packages of Causalin at Newark, N. J.; 46 packages at Providence, R. I.; and 121 packages of the product at Philadelphia, Pa.; alleging that it had been shipped in interstate commerce by the Amfre Drug Co. from New York, N. Y., within the period from on or about July 1 to on or about August 22, 1938; and charging that it was misbranded for the reasons appearing above.

The libels also charged that the article was adulterated and misbranded in violation of the Food and Drugs Act, as reported in notice of judgment No. 29757 published under that act.

On September 7, September 20, and October 5, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

9. Misbranding of Causalin. U. S. v. 89 Packages, et al., of Causalin. Default decrees of condemnation and destruction. (F. D. C. Nos. 226, 227. Sample Nos. 35890–D, 35895–D, 59756–D to 59759–D, incl.)

This product consisted of tablets and capsules containing aminopyrine, salicylic ethyl ester carbonate, and quinolinesulfonate. It would be dangerous to health when used in the dosage suggested in the labeling, in which it was recommended that it be taken in the dosage directed by the physician. 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 its labeling or under such conditions of use as are customary or usual, and it failed to bear adequate warnings against unsafe dosage or methods or duration of administration in such manner and form as are necessary for the protection of users.

On May 6, 1939, the United States attorney for the District of Massachusetts filed libels against 336 packages of Causalin at Boston, Mass.; alleging that the article had been shipped in interstate commerce by the Amfre Drug Co. from New York, N. Y., within the period from on or about October 26, 1938, to on or about April 5, 1939; and charging that it was misbranded for the reasons stated above.

On August 8, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

10. Misbranding of Cal-co-cin. U. S. v. 1 Package and 2 Bottles of Cal-co-cin. Default decrees of condemnation and destruction. (F. D. C. Nos. 90-A, 101. Sample Nos. 34424-D, 34644-D.)

This drug consisted of the calcium salts of benzoic acid and cinchophen. It would be dangerous to health when used in the dosage or with the frequency prescribed, recommended, and suggested in the labeling, which directed the dosage of one capsule four times a day, that is, after meals and on retiring.

On November 10 and 23, 1938, the United States attorney for the District of Maryland filed libels against one package, containing 400 capsules of Cal-co-cin, at Frederick, Md., and 2 bottles, containing 900 capsules of Cal-co-cin, at Taneytown, Md.; alleging that the article had been shipped in interstate commerce from Philadelphia, Pa., on or about August 17 and October 20, 1938, by the Crescent-Kelvan Co.; and charging that it was misbranded for the reasons stated above.

The libels alleged that the article was also misbranded in violation of the Food and Drugs Act of 1906, as reported in notice of judgment No. 30202 published under that act.

On December 5 and December 15, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

11. Misbranding of Volz Anti-Rheumin. U. S. v. 754 Cartons of Volz Anti-Rheumin. Default decree of condemnation and destruction. (F. D. C. No. 103. Sample No. 42878-D.)

This product consisted of capsules containing cinchophen, acetophenetidin, aspirin, lithium salicylate, and cinchona bark. It would be dangerous to health when used in the dosage and with the frequency or duration prescribed, recommended, and suggested in the labeling, which bore directions that it be taken: 8 capsules a day, 2 after breakfast, 2 after noonday meal, 2 after evening meal, and 2 immediately before retiring, as indicated for acute rheumatic fever, to be continued until after pain and fever subside then 4 to 6 capsules a day, children 3 capsules a day, the dosage also indicated for muscular aches and pains, muscular lumbago, simple headaches, simple neuralgia, and gout.

On December 8, 1938, the United States attorney for the Western District of Pennsylvania filed a libel against 754 cartons of Volz Anti-Rheumin at Erie, Pa.; alleging that the article had been shipped in interstate commerce on or about October 13, 1938, by Strong, Cobb & Co., Inc., from Cleveland, Ohio; and charging that it was misbranded for the reasons stated above. The product was shipped in bulk and was packaged and labeled at Erie, Pa., while in interstate commerce, by Robert W. Brooks, trading as the Volz Co., the promoter of the product, which firm ordered the goods from the shipper.

On January 17, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

12. Misbranding of Cachets Algocratine. U. S. v. 224 Boxes of Cachets Algocratine. Default decree of condemnation and destruction. (F. D. C. No. 193. Sample No. 59701-D.)

This product contained phenacetin (acetophenetidin), aminopyrine, and a small proportion of caffeine. It would be dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in the labeling, in which it was represented that each cachet contained 4½ grains of phenacetin, a derivative of acetanilid, and that it be taken in the dosage of one cachet, to be repeated in an hour if required, and that it was rarely necessary to exceed a daily dose of three or four.

On March 7, 1939, the United States attorney for the Southern District of New York filed a libel against 224 boxes of Cachets Algocratine at New York, N. Y.; alleging that the article had been shipped from Paris, France, by E. Lancosme, arriving at the Port of New York on or about August 18, 1938; and charging that it was misbranded for the reasons appearing above.