On March 29, 1939, the United States attorney for the District of New Jersey filed a libel against 138 packages of O. B. C. Capsules at Atlantic City, N. J.; alleging that the article had been shipped in interstate commerce on or about October 20, 1938, by Frank & Black from Philadelphia, Pa.; and charging that it was misbranded for the reasons appearing above. The article was labeled in part: "Thyrole Products Co., Sole Distributors, Philadelphia, Penna."

On May 3, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

42. Misbranding of Tablets Arbolone. U. S. v. 188 Packages of Tablets Arbolone. Default decree of condemnation and destruction. (F. D. C. No. 216. Sample No. 55108–D.)

This drug consisted of tablets containing desiccated thyroid and extracts of plant drugs including an iodine-containing drug such as bladder wrack and a laxative drug such as cascara sagrada. It was recommended in its labeling as a treatment for obesity with dosage of one to two tablets, beginning with one after each meal and increasing the dose to two tablets after the third day, and continuing until the desired reduction resulted, after which the tablets might be taken occasionally as a preventive. It was recommended further that the dose be reduced if headache, vertigo, or heart palpitation ensued, and that the treatment be continued several weeks or months as the case might require. It would be dangerous to health when used in the dosage or with the frequency or duration so prescribed, recommended, or suggested. Its labeling failed to reveal facts material in the light of the representations set forth in the labeling, or material with respect to consequences which might result from the use of the article under the conditions of use prescribed in the labeling, and failed to bear 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.

On April 11, 1939, the United States attorney for the Northern District of Illinois filed a libel against 188 packages of Tablets Arbolone at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about February 15, 1939, by the Arbolone Co. from Dayton, Ohio; and charging that it was misbranded for the reasons appearing above.

On June 20, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

MISCELLANEOUS

43. Misbranding of laxative chewing gum. U. S. v. 77 Cartons of Chewing Laxative. Default decree of condemnation and destruction. (F. D. C. No. 73. Sample No. 22341–D.)

This product was a gum, each piece containing 1 grain of phenolphthalein. It would be dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in the labeling, which recommended that it be chewed like gum with a dosage of one to two tablets at night or after mealtime.

On September 8, 1938, the United States attorney for the Northern District of Illinois filed a libel against 77 cartons of chewing laxative at Chicago, Ill.; alleging that the article had been shipped on or about July 20, 1938, by Peltz-Kauffer Co., Inc., from South Bend, Ind.; and charging that it was misbranded for the reasons stated above. It was labeled in part: "Tru-Lax Mint Flavored Chewing Laxative."

The libel also charged that the article was misbranded in violation of the Food and Drugs Act, reported in notice of judgment No. 30001 published under that act.

On November 29, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

44. Misbranding of Bad-Ex-Salts. U. S. v. 27 Bottles of Bad-Ex-Salts (and 3 other seizure actions against the same product). Default decrees of condemnation and destruction. (F. D. C. Nos. 109, 110, 112, 114. Sample Nos. 34931–D, 38817–D, 48833–D, 59646–D.)

This product contained tartar emetic. It would be dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in the labeling, which contained representations that the article contained sodium sulfate, sodium carbonate, and sodium chloride (salts