

100. Misbranding of Myasthene Tablets. U. S. v. 102 Bottles of Myasthene Tablets. Default decree of condemnation and destruction. (F. D. C. No. 660. Sample Nos. 47734-D, 47735-D, 47736-D.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated below.

On September 29, 1939, the United States attorney for the District of Columbia filed a libel against 102 bottles of Myasthene Tablets at Washington, D. C., alleging that the article had been shipped in interstate commerce on or about September 2, 1939, by the Medicinal Specialties Co. from New York, N. Y.; and charging that it was misbranded.

Analysis showed that the tablets each contained 7.2 grains of aminoacetic acid (glycocoll).

The article was alleged to be misbranded in that its labeling bore representations that it was efficacious for "that tired feeling"; that it consisted of glycocoll, an unusually effective compound for increasing the energy and vigor of the tired individual; that it was intended especially for chronic tiredness and easy fatigability known as myasthenia mitis which translated means "mild muscular weakness"; that phospho-creatine must be present in sufficient quantity in the muscles in order to provide energy for muscular action and that if it is deficient in quantity the amount of work or energy is below par, there is lack of physical vigor, energy, stamina, endurance, and of a normal capacity to work and enjoy life in the fullest; that the article would increase the amount of phosphocreatine in muscles and by doing so would increase the amount of effort which a person could exert by as much as 200 percent or more; that it would be valuable in other bothersome conditions such as underweight or weight loss in children, loss of appetite and certain types of nervousness; that its value had been proved by research workers, clinical tests, and famous physicians, which representations and others of like import in the labeling, together with a design of a tired girl and a contrasting figure of a vivacious girl, also of a tired man and a contrasting figure of an energetic man, with accompanying representations that the article had produced the improvement, were false and misleading in that the article was not efficacious for the purposes recommended.

On November 21, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DRUGS SOLD FOR BOTH HUMAN AND VETERINARY USE

101. Misbranding of Seeley's Spook Oil Linament. U. S. v. 22 Bottles of Seeley's Spook Oil Linament. Default decree of condemnation and destruction. (F. D. C. No. 662. Sample No. 70609-D.)

The labeling of this product bore representations that it was efficacious in the treatment of human beings for tick bites, piles, colds, toothache, sunburn, scalds, sore throat, fire burns, flu, earache, cuts, mashed toe or finger, sore joints or rheumatic pains, and dandruff; that it was efficacious in the treatment of horses for all external ailments, wire cuts, sore joints, and nail holes; that it was efficacious "to heal a burn fast"; and that it would not allow a scab to form and therefore would leave no scar.

On October 3, 1939, the United States attorney for the District of Nebraska filed a libel against 22 bottles of Seeley's Spook Oil Linament at Gibbon, Nebr., alleging that the article had been shipped in interstate commerce on or about September 15, 1939, by G. A. Seeley from Louisville, Colo.; and charging that it was misbranded.

Analysis showed that the article consisted essentially of turpentine oil (50 percent), methyl salicylate (2 percent), copper acetate (0.2 percent), and a fatty oil.

It was alleged to be misbranded in that the representations in the labeling referred to above were false and misleading since they represented that it was efficacious for the purposes recommended; whereas it was not efficacious for such purposes.

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

102. Misbranding of Yucca-Balm. U. S. v. 118 Cans of Yucca-Balm. Default decree of condemnation and destruction. (F. D. C. No. 685. Sample No. 70619-D.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated below.