

consigned about November 6, 1939, alleging that the article had been shipped in interstate commerce by the Murray Products Co. from San Francisco, Calif.; and charging that it was misbranded for the reasons appearing above.

On June 11, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

**149. Misbranding of Nazoscope. U. S. v. 135 Packages of Nazoscope. Default decree of condemnation and destruction.** (F. D. C. No. 199. Sample No. 40912-D.)

This device consisted of a vaporizing chamber (containing a wick) of such size and shape as to permit its fitting into the nostril and to which was attached a rubber tube fitted with a mouthpiece. An accessory medicament labeled "Nazone," which accompanied the article, consisted essentially of volatile oils (including spearmint oil), alcohol, and water. The device would be dangerous to health when used in the dosage and with the frequency or duration prescribed, recommended, or suggested in the labeling, which contained directions that 10 to 15 drops of Nazone be placed on the wick, the appliance inserted into the nostril, that the glass mouthpiece on the end of the rubber tube be placed between the lips, and that the user blow gently, gradually increasing the pressure until the effects could be felt deep in the nasal passages.

On March 14, 1939, the United States attorney for the District of Utah filed a libel against 135 packages of Nazoscope at Salt Lake City, Utah, alleging that the article had been shipped in interstate commerce on or about October 21, 1938, by the Murray Laboratories from Santa Monica, Calif.; and charging that it was misbranded.

On May 25, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

#### NIPPLE SHIELDS

Nos. 150 and 151 report the seizure and disposition of nipple shields which were made essentially of lead. They were potentially dangerous because lead poisoning might result in infants fed from the breasts of mothers using the device.

**150. Misbranding of nipple shields. U. S. v. 71 Boxes of Dr. Wansbrough's Metallic Nipple Shields. Default decree of condemnation and destruction.** (F. D. C. No. 1914. Sample No. 6973-E.)

On May 21, 1940, the United States attorney for the District of Montana filed a libel against 71 boxes of Dr. Wansbrough's Metallic Nipple Shields at Great Falls, Mont., alleging the article had been shipped in interstate commerce on or about July 1, 1936, by the Glasco Products Co. from Chicago, Ill.; and charging that it was misbranded.

The article, a device, was alleged to be misbranded in that the representations in the labeling that it was for the prevention and cure of sore nipples, that it should be applied as soon after delivery as possible, that in using it the only attention required was to wipe the nipple previously to nursing and apply immediately afterwards, and that it was in no way likely to be injurious to the infant, were false and misleading in that the said representations gave the impression that the device was a preventative and cure for sore nipples; whereas it was not a safe and appropriate remedy or cure for sore nipples but was a dangerous drug. The device was alleged to be misbranded further in that the labeling was misleading since it failed to reveal the facts, material in the light of the representations made therein, and material with respect to consequences which might result from the use of the device under the conditions of use prescribed in the labeling and under such conditions of use as are customary and usual, that the use of the device in accordance with the directions might cause fatal lead poisoning in infants fed from breasts of mothers using said device. It was alleged to be misbranded further in that it was dangerous to health when used with the frequency or duration prescribed, recommended, and suggested in the labeling thereof.

On July 25, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**151. Misbranding of nipple shields. U. S. v. 15 Boxes of Dr. Wansbrough's Metallic Nipple Shields. Default decree of condemnation and destruction.** (F. D. C. No. 151. Sample No. 48920-D.)

On February 3, 1939, the United States attorney for the District of Rhode Island filed a libel against 15 boxes of the above-named article at Providence,

R. I., alleging that it had been shipped in interstate commerce on or about October 6, 1938, by the J. Sklar Manufacturing Co. from Brooklyn, N. Y.; and charging that it was misbranded.

It was alleged to be misbranded in that it was dangerous to health when used in the dosage, or with the frequency prescribed, recommended, or suggested in the labeling, in which the article was recommended for the prevention and treatment of sore nipples and which contained directions that the shields should be applied as soon after delivery as possible, that in their use the only attention required was to wipe the nipple before nursing and apply the shield again immediately afterwards, and that they were in no way likely to be injurious to the infant.

On August 27, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

#### MISCELLANEOUS

**152. Misbranding of Bad-Ex Salts. U. S. v. Dr. Frederick M. Lawrence (American Laboratories). Plea of guilty. Fine, \$50.** (F. D. C. No. 97. Sample Nos. 34931-D, 38817-D, 58508-D, 59646-D.)

This product contained tartar emetic. Its labeling bore directions and recommendations that a teaspoonful be taken in a glassful of water when needed, that a teaspoonful be taken in a glassful of cold water on arising in the morning, that children should take one-fourth to 1 teaspoonful according to age, that the salts should be added to the water, stirred, and drunk as effervescence subsided, and that it should never be taken less than a half hour before meals unless otherwise directed. It would be dangerous to health when used in the dosage and with the frequency or duration so prescribed, recommended, or suggested in the labeling.

On November 21, 1939, the United States attorney for the Middle District of Pennsylvania filed an information against Dr. Frederick M. Lawrence, trading as the American Laboratories, at Carlisle, Pa., alleging shipment by said defendant within the period from on or about November 5 to on or about December 10, 1938, from the State of Pennsylvania into the States of Maryland, Missouri, Ohio, and New York, of quantities of Bad-Ex Salts which was misbranded for the reasons stated above.

The article was also charged to be adulterated and misbranded in violation of the Food and Drugs Act of 1906, reported in notices of judgment published under that act.

On December 4, 1939, a plea of guilty was entered by the defendant and the court imposed a fine of \$50.

**153. Misbranding of Bull's 1001 Obesity Capsules. U. S. v. 3 Packages of Bull's 1001 Obesity Capsules. Default decree of condemnation and destruction.** (F. D. C. No. 1914. Sample No. 6073-E.)

These capsules contained thyroid and small proportions of sulfur, licorice, and nux vomica; and would be dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in the labeling, which bore directions that 1 capsule should be taken 4 times a day, one immediately after each meal and at bedtime.

On January 31, 1940, the United States attorney for the Eastern District of Wisconsin filed a libel against 3 packages of Bull's 1001 Obesity Capsules at Sheboygan, Wis., alleging that the article had been shipped in interstate commerce on or about March 24, 1939, by J. W. Bull from Chicago, Ill.; and charging that it was misbranded for the reasons appearing above.

On March 8, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

**154. Misbranding of Young's Preparation. U. S. v. 36 Bottles of Young's Preparation. Default decree of condemnation and destruction.** (F. D. C. No. 2302. Sample No. 537-E.)

This product contained acetic acid; and 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 recommended for the relief of itching skin and scalp and which bore directions that the bottle be shaken well and the product applied to afflicted parts two or three times a day; that if the parts were raw it should be diluted with water until it could be used full strength and that it was natural for the product to sting when first applied.