

On or about July 8, 1940, the United States attorney for the Southern District of Florida filed a libel against 33 bottles of Young's Preparation at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce by O. L. Brunson from Waycross, Ga., on or about May 31, 1940; and charging that it was misbranded in violation of the Federal Food, Drug, and Cosmetic Act for the reasons appearing above.

It was also alleged to be misbranded in violation of the Federal Caustic Poison Act reported in notice of judgment No. 102 published under that act.

On September 9, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

#### DRUG ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

**155. Adulteration and misbranding of Cotec. U. S. Thomas E. Connor (The Cotec Co.). Plea of guilty. Fine, \$25. (F. D. C. No. 949. Sample No. 73892-D.)**

This product was found to consist of fatty substances and filth, as indicated by the presence of viable micro-organisms. Furthermore, its labeling bore false and misleading representations regarding its efficacy in the conditions indicated below.

On April 22, 1940, the United States attorney for the District of Massachusetts filed an information against Thomas E. Connor, trading as the Cotec Co., at Lynn, Mass., alleging shipment by said defendant on or about November 22, 1939, from the State of Massachusetts into the State of New Hampshire, of a quantity of Cotec which was adulterated and misbranded. The article was labeled in part: "Cotec, a preparation for all kinds of piles."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy substance.

It was alleged to be misbranded in that its labeling bore representations that it was an efficacious and appropriate treatment for all kinds of piles, including blind, bleeding, itching, internal and external piles; would relieve, by absorption, all inflammation of the lower bowel, without an operation; that it was one of the most valuable of all pile treatments and would do all that was claimed for it; that it would reduce all congestion and swelling, and heal all sores, ulcers, and irritated parts immediately; that it would heal while one slept; that it was an efficacious preparation for pile tumors; that it would be an efficacious preparation for the symptoms of the disease (piles), among which are bearing-down sensation, heat, tension, and throbbing of the part, varying from a moderate degree of the sensations to the most excruciating suffering; that it would be an efficacious preparation for prolapsus or fall of the bowels and for various attendant symptoms of piles such as nervous pains, pain and weakness in the back, irritation of the kidneys and bladder, and other organs of the vicinity, pain and numbness in the legs and feet, a sense of straitness about the chest, unnatural fullness of the abdominal viscera, accompanied by palpitation and oppression of the heart, great derangement of the circulation, sense of weight and pressure in the abdomen with peculiar feeling of uneasiness in the bowels, sensation of bearing down in the rectum and perineum, pain in the back and loins, nausea, slight pain in the stomach, scanty and high-colored urine, pale countenance, confused sensation in the head, weariness and irritable and discontented state of mind, sense of fullness and oppression in the region of the stomach, and feeble circulation on the surface; that it was efficacious from the first symptom to the most aggravated type of the disease; that, in conjunction with Cotec Laxative Pills, it would constitute a complete treatment for piles, would reach the seat of the ailment, restore to a healthy condition, prevent the return of piles, and would guarantee to all perfect immunity from the complaint; that if used regularly it would effect a cure; that it would cure quickly and permanently; and that it was the best pile remedy, were false and misleading in that the said article contained no ingredient possessing efficacy in the said conditions, but did consist of a filthy mixture unfit for medicinal use.

On October 1, 1940, the defendant entered a plea of guilty and the court imposed a fine of \$25.