

since the article was not efficacious for the purposes so recommended. It was alleged to be misbranded further in that the representation in the labeling that the tins contained 1 $\frac{3}{8}$ ounces was false and misleading since it was incorrect, and in that it did not bear an accurate statement of the quantity of the contents.

On May 2, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

222. Misbranding of Hannon's Rub. U. S. v. 5 Dozen 1-Ounce Packages and 2 $\frac{1}{2}$ Dozen 2-Ounce Packages of Hannon's Rub. Default decree of condemnation and destruction. (F. D. C. No. 1989. Sample No. 9563-E.)

The labeling of this product bore false and misleading representations regarding its efficacy in the treatment of the conditions indicated below. The cartons were unnecessarily large, the 1-ounce bottle occupying approximately 32 percent, and the 2-ounce bottle occupying approximately 38 percent of the capacity of the carton.

On May 21, 1940, the United States attorney for the Eastern District of Louisiana filed a libel against the above-named quantities of Hannon's Rub at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about April 29, 1940, by Hannon's Medicines, Inc., from Brookhaven, Miss.; and charging that it was misbranded.

Analysis showed that the article was a 2-layer liquid consisting essentially of camphor, soap, chloroform, water, and alcohol.

Misbranding was alleged in that the labeling bore representations that the article was efficacious in the treatment of rheumatism, arthritis, neuritis, croup, coughs, laryngitis, chest colds, paroxysms due to asthma, menstrual colic, sciatica, bursitis, arthritis of all the joints, lumbago, and backache; that it would relieve severe sprain, headache, neuralgia or rheumatism; that for chest colds it should be rubbed on the chest covering the entire area from throat to waist followed immediately with an application covering the entire back from neck to waist; that it would be efficacious in the treatment of stiff muscles and painful joints accompanying rheumatism, lumbago, and neuralgia; and that applied by rubbing on the chest, throat, and upper part of back it would be helpful in paroxysms due to asthma, which representations were false and misleading since the article was not efficacious for the purposes so recommended.

It was alleged to be misbranded further in that its containers were so made, formed, or filled as to be misleading.

On June 20, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

223. Misbranding of Premek 33. U. S. v. 24 Small-Sized Packages and 24 Medium-Sized Packages of Premek 33. Default decree of condemnation and destruction. (F. D. C. No. 1348. Sample Nos. 83455-D, 83456-D.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter. Moreover, both-sized cartons were considerably larger than were required to hold the tube and circular.

On January 13, 1940, the United States attorney for the District of Oregon filed a libel against 48 packages of Premek 33 at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about September 25 and November 13, 1939, by H. K. Patch Co. from Los Angeles, Calif.; and charging that it was misbranded.

Analysis showed that the article consisted essentially of sulfur, magnesium hydroxide, water, and a small quantity of a phenolic product. It had a pronounced odor of sulfides.

The article was alleged to be misbranded in that representations in the labeling regarding its use for ringworm, barber's itch, impetigo, body skin irritations, facial eruptions, pimples and enlarged pores, scalp irritation, soft corns, and ingrown nails (when infected); and representations that it would relieve promptly pruritis and "itching caused by pruritis," would stop body perspiration, would accomplish the destruction of parasites, organisms, and fungus spores, which cause superficial skin irritations by releasing a vapor into the pores of the skin, that this vapor was generated when the active ingredients of the product combined with the oxygen of the air and that such combination is promoted by the body heat; that it was deadly to microscopic organisms, would relieve skin irritations, and was practically odorless, also appearing in the labeling, were false and misleading. Further misbranding was alleged in

that it was a drug and its container was so made, formed, or filled as to be misleading.

On March 5, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

224. Misbranding of Wemett's Salve. U. S. v. 66 Packages of Wemett's Salve. Default decree of condemnation and destruction. (F. D. C. No. 1127. Sample No. 39966-D.)

This product was labeled with false and misleading representations regarding its efficacy in the conditions indicated below; and the tube containing it occupied only approximately 20 percent of the capacity of the carton.

On December 4, 1939, the United States attorney for the Western District of Washington filed a libel against 66 packages of Wemett's Salve at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about September 21, 1939, by F. J. Wemett from Los Angeles, Calif.; and charging that it was misbranded.

Analysis showed that it consisted essentially of salicylic acid (30.1 percent), incorporated in a petrolatum base.

It was alleged to be misbranded in that representations in the labeling that the first application would remove soreness; that it would reduce swelling, and that it would reduce the swelling and take out the soreness and inflammation of bunions were false and misleading since the article was not efficacious for the purposes so recommended. It was alleged to be misbranded further in that its containers were so made, formed, or filled as to be misleading.

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

DRUGS IN DECEPTIVE CONTAINERS OR MISLABELED AS TO QUANTITY OF CONTENTS⁴

225. Misbranding of Deo Eucalyptus Ointment. U. S. v. 66 Packages of Deo Eucalyptus Ointment. Default decree of condemnation and destruction. (F. D. C. No. 1386. Sample No. 83477-D.)

The tubes containing this product occupied less than 20 percent of the space in the cartons.

On January 16, 1940, the United States attorney for the District of Oregon filed a libel against 66 packages of Deo Eucalyptus Ointment at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about July 28 and November 6, 1939, by the Deo Eucalyptus Laboratories from Oakland, Calif.; and charging that it was misbranded in that its containers were so made, formed, or filled as to be misleading.

On March 5, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

226. Misbranding of Grove's Emulsified Nose Drops. U. S. v. 8 Dozen Packages of Grove's Emulsified Nose Drops. Default decree of condemnation and destruction. (F. D. C. No. 1454. Sample No. 78888-D.)

The containers of this product were deceptive since the contents, which consisted of a bottle, a dropper, and a circular, occupied not more than one-fourth of the total capacity of the carton.

On February 6, 1940, the United States attorney for the Western District of Pennsylvania filed a libel against 8 dozen packages of the above-named product at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about October 5, 1939, by Grove Laboratories, Inc., from St. Louis, Mo.; and charging that it was misbranded in that the containers were so made, formed, or filled as to be misleading.

On March 25, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

227. Misbranding of 666 Nose Drops. U. S. v. 96 Retail Packages of 666 Nose Drops. Consent decree of condemnation and destruction. (F. D. C. No. 1478. Sample No. 87673-D.)

The cartons enclosing this product each contained a bottle of a medicament, a dropper, a circular, and a large corrugated paper liner. The bottle of medicament occupied not more than one-fourth of the space in the carton.

⁴ See also N. J. Nos. 141, 159, 175, 178, 180, 181, 222, 224, 232, 233, 236, 237, 240-243, 248, and 249.