

logical examination showed that it contained 500 International Units of vitamin B₁ per fluid ounce.

The article was alleged to be misbranded in that its labeling bore representations that it would assist in renewing health, restoring energy, enriching blood, increasing metabolism, and promoting normal growth; that it contained blood and body building ingredients; that it was indicated in any form of anemia; that it was a health tonic, ideal for those enfeebled by age and that it was efficacious in loss of appetite, nervousness, that it would provide nourishment, assist to strengthen and cleanse, restore and maintain vitality, vigor and health, tone up the intestinal tract, help prevent certain types of neuritis, prevent pellagra, inflammation of the skin, diarrhea, and mental and physical nervousness; that it was an organic revitalizer; that it would be efficacious in treating convalescents from debilitating diseases, and that it would correct sluggishness, mental fatigue, and tired worn-out feeling, which representations were false and misleading, since it would not be efficacious for such purposes.

On October 19, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

395. Misbranding of Noe's Graduated Exercisors and Massagers. U. S. v. 2 Packages each containing 14 Noe's Graduated Exercisors and Massagers. Default decree of condemnation. Product ordered delivered to welfare association. (F. D. C. No. 1977. Sample No. 1869-E.)

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

On May 27, 1940, the United States attorney for the District of Columbia filed a libel against 2 packages of the above-named product at Washington, D. C., alleging that the article had been shipped in interstate commerce from Memphis, Tenn., by Roy H. Noe on or about May 22, 1940; and charging that it was misbranded. The article was labeled in part: "To T. H. Mercer c/o General Delivery Washington, D. C." It consisted of two rubber belts, one equipped with handles, an instruction book, and a circular.

The article was alleged to be misbranded in that representations in the labeling that it was the fastest waist line reducing exercise known; would build health, eliminate constipation; that it was efficacious for massaging the pelvic organs and keeping the prostate gland normal, correcting gland trouble, strengthening the eyes, building up the tissues of the air passages through the head, cutting down the chances of head colds; that it would greatly help in furthering the hearing, in relieving sinus and catarrhal trouble, in reducing weight or in gaining weight; that it would be efficacious to feed the optic nerves, correct headaches, make one think quicker and better and that it was efficacious in high blood pressure; would correct low blood pressure and would be efficacious for rheumatism and for weak lungs, which representations were false and misleading, since it would not be efficacious for such purposes.

On June 21, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a welfare organization after the destruction of the labeling.

396. Misbranding of Par-A-Pac reducing pads. U. S. v. 11 Packages of Par-A-Pac Reducing Pack and Natural Heating Pad, 7 Packages of Par-A-Pac Reducing Pack, and 10 Packages of Par-A-Pac Natural Heating Pad and Bandage. Default decree of condemnation and destruction. (F. D. C. No. 3198. Sample Nos. 14397-E, 14398-E, 14399-E.)

The labeling of these products bore false and misleading representations regarding their efficacy in the conditions indicated hereinafter.

On October 15, 1940, the United States attorney for the District of New Jersey filed a libel against the above-named products at Ventnor and Atlantic City, N. J., alleging that they had been shipped in interstate commerce on or about May 21, 1940, by the Par-A-Pac Co. from New York, N. Y.; and charging that they were misbranded.

Examination showed that the devices consisted of belts or pads made up of layers of parchment, flannel, and rayon.

The articles were alleged to be misbranded in that representations in the labeling of the reducing belt that it would be efficacious for spot reducing, would reduce the waist line, abdomen, hips, thighs, legs, arms, or shoulders, would be effective to oxidize the superfluous fatty tissues and would slenderize without dieting or exercise; representations in the labeling of the reducing pack that it would be efficacious for spot reducing, would reduce the waist line, abdomen, hips, thighs, legs, arms, or shoulders, and would help throw off body toxins and waste, and

representations in the labeling of the heating pack that it would relieve congestion, chest colds, lumbago, arthritis, backache, and muscular soreness, were false and misleading since they would not be efficacious for such purposes.

On April 18, 1941, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

397. Misbranding of Redus-Aid candy. U. S. v. 250 Packages of Redus-Aid Reducing Plan and Vitadex Candy. Default decree of condemnation and sale. (F. D. C. No. 3289. Sample No. 20462-E.)

The labeling of this product bore false and misleading representations regarding its efficacy as an aid in weight reduction.

On October 25, 1940, the United States attorney for the Northern District of Georgia filed a libel against 250 packages of the above-named product at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about September 6 and 7, 1940, by the Illinois Vitamin Products Co. from Evanston, Ill.; and charging that it was misbranded.

Analysis showed that the article consisted chiefly of sugars (including sucrose, glucose, and invert sugar), fats, proteins, and a small proportion of mineral matter including salt and a calcium compound. It had the taste and appearance of caramel candy and would furnish the same amount of calories as ordinary candy.

It was alleged to be misbranded in that statements and designs in the labeling represented and suggested that it would be efficacious to cause a loss of weight easily and sensibly, would curb the appetite for sweet, rich foods, would enable the user to cut down on the amount of food without pangs of hunger, and would help remove excess fat and increase bodily vigor, which were false and misleading since it would not be efficacious for such purposes.

On November 25, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be sold but that the boxes and literature be destroyed.

398. Misbranding of Dr. Wright's Big Four Emulsion. U. S. v. 127 Gallon Cans of Dr. Wright's Big Four Emulsion. Consent decree of condemnation. Product released under bond to be relabeled. (F. D. C. No. 1852. Sample No. 4114-E.)

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

On or about May 10, 1940, the United States attorney for the Northern District of Illinois filed a libel against 127 gallon cans of the above-named product at Rockford, Ill., alleging that the article had been shipped in interstate commerce on or about February 24, 1940, by the Big Four Mills, Ltd., from Covington, Ky.; and charging that it was misbranded.

Analysis showed that the article was an emulsion containing fatty oils, small proportions of volatile oils (including oil of eucalyptus, ginger, and turpentine), and water.

The article was alleged to be misbranded in that the following statements in the labeling, "Dr. Wright's Big Four Emulsion for the treatment and prevention of Round and Tape worms in Chickens and Turkeys. Dr. Wright's Big Four Emulsion is not poisonous. It will not in any way retard appetite, growth or production of ~~bird~~ bird," were false and misleading since it would not be efficacious for the purposes recommended, namely, the treatment and prevention of round and tape worms in chickens and turkeys and against worms that infest poultry.

On November 27, 1940, Big Four Mills, Ltd., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered that the product be released under bond conditioned that it be relabeled under the supervision of the Food and Drug Administration.

399. Misbranding of Kendall's Acute Spavin Counter-Irritant. U. S. v. 20 Bottles of Kendall's Acute Spavin Counter-Irritant. Default decree of condemnation and destruction. (F. D. C. No. 2303. Sample No. 2483-E.)

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

On July 1, 1940, the United States attorney for the District of Massachusetts filed a libel against 20 bottles of the above-named product at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about January 2 and March 25, 1940, by the Dr. B. J. Kendall Co., from Enosburg Falls, Vt.; and charging that it was misbranded.