Chicago, Ill., alleging that the articles had been shipped in interstate commerce on or about May 3 and October 17, 1940, by the E. S. Miller Laboratories, Inc., from Los Angeles, Calif.; and charging that they were misbranded. The articles were labeled in part: "Suppletive Formula Number 1 [or "Supportive Formula S. G. M. a"] Specially prepared for the Samaritan Treatment"; or "Formula No. 1 Manufactured for The Samaritan Treatment."

Analyses showed that the Supportive Formula consisted essentially of glandular material and water; and that Formula No. 1 consisted essentially of compounds of ephedrine, pilocarpine, emetine, and strychnine, sulfates and chlorides, and water.

The Suppletive Formula Number 1 was alleged to be misbranded in that it would be dangerous to health when used in the dosage suggested in its labeling. This product and Formula No. 1 both were alleged to be misbranded in that their labeling failed to bear adequate warnings against use in those pathological conditions (or by children in the case of Formula No. 1) where their use might be dangerous to health or against unsafe dosage or methods or duration of administration or application in such manner and form as are necessary for protection of users.

All three products were alleged to be misbranded (1) in that their labeling failed to bear adequate directions for use; and (2) in that they were fabricated from two or more ingredients and their labeling failed to bear the common or usual names of their active ingredients.

On January 28 and March 3, 1941, no claimant having appeared, judgments of condemnation were entered and products were ordered destroyed.

436. Adulteration and misbranding of Sterile Uteroids, Prevent-All, Leucorrhea Special No. 9; misbranding of Gleet Specific, Argosine, Picricine, Prostatic Depletent, Prostatic Absorbent, and Aesculus Pile Cerate. U. S. v. 94 Cartons and 125 Tubes of Sterile Uteroids, 10 Cartons of Prevent-All, 94 Cartons of Leucorrhea Special No. 9, 34 Packages of Gleet Specific, 117 Cartons of Argosine, 126 Cartons of Picricine, 23 Cartons of Prostatic Depletent, 21 Cartons of Prostatic Absorbent, and 23 Cartons of Aesculus Pile Cerate. Default decrees ordering destruction. (F. D. C. Nos. 3370 to 3374, incl., 3376, 3378, 3501 to 3503, incl. Sample Nos. 16393–E to 16397–E, incl., 16399–E, 16901–E, 16913–E to 16915–E, incl.)

Adequate directions for use were not borne on the labels of Leucorrhea Special No. 9; the labeling of Picricine and Aesculus Pile Cerate failed to bear adequate warnings against use in those pathological conditions where its use might be dangerous to health, or against unsafe dosage or methods or duration of administration or application, in such manner and form, as are necessary for the protection of users; the labeling of all the other products except Prevent-All failed to bear adequate directions for use and adequate warning statements. The Sterile Uteroids, Prevent-All, and Leucorrhea Special No. 9 were adulterated because their strength differed from and their quality fell below that which they purported or were represented to possess. All of the products except Picricine and Argosine bore false and misleading statements regarding their ingredients or their therapeutic properties. The labels on the immediate container (collapsible tube) of the repackaged portion of Leucorrhea Special No. 9, the labeled portion of Argosine (and the cartons of the remainder of these two products), and of all the other products failed to bear the common or usual name of each of their active ingredients.

The packages of all the products (and the cartons in the case of the unlabeled portion of Argosine and the portion of Leucorrhea Special No. 9 that had not been repackaged) failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, since the immediate container (collapsible tube) carried no label; and the name and address Ainsworth Specialty Co., Kansas City, Mo., appearing on the carton were not those of the manufacturer, and were not qualified by a phrase which revealed the connection the firm mentioned had with the drugs. The packages of all the products (the immediate container (collapsible tube) of the labeled portion of Argosine and of the repackaged portion of Leucorrhea Special No. 9, and the cartons containing the unlabeled portion of Argosine and the portion of Leucorrhea Special No. 9 that had not been repackaged) failed to bear the required quantity of contents statement.

On or about November 23 and December 20, 1940, the United States attorney for the Western District of Missouri filed libels against the above-named products at Kansas City, Mo., alleging that the articles had been shipped by C. F. Breitenbach (Mucine Co.) from Chicago, Ill., within the period from on or

about January 22 to on or about November 11, 1940; and charging that portions of the articles were misbranded and that the remainder were adulterated and misbranded.

Analyses of samples of the Sterile Uteroids showed that they consisted essentially of ichthammol, menthol, an iodine compound (a trace of an iodine compound in one lot), and extracts of plant drugs, incorporated in wool wax (lanum); and that they contained no alum and no zinc sulfate. They were alleged to be adulterated in that their strength differed from and their quality fell below that which they purported and were represented to possess. They were alleged to be misbranded (1) in that the statement on the carton label, "Powd. Alum 10%. Zinc. Sulph. 1%," was false and misleading since they contained no alum and no zinc sulfate; (2) in that the statement on the carton label, "Sterile Uteroids For Intra-Uterine Treatment * * * Endometritis," was false and misleading; and (3) for the four further reasons appearing in the first paragraph of this notice.

Analysis of a sample of Prevent-All showed that it consisted essentially of calomel (4.4 percent) and zinc oxide (9.3 percent) incorporated in wool wax (lanum). It was alleged to be adulterated in that its strength differed from and its quality fell below that which it purported or was represented to possess. It was alleged to be misbranded (1) in that the statement on the outer carton label, "Lanum base 67% Calomel 33%," was false and misleading in view of its actual composition; (2) in that the following statements on the outer carton were false and misleading: "Prevent-All A * * * Combination to Prevent All Sexual Diseases in the Male. Gonorrhea, Chancres (Syphilis). * * * Prevent-All * * * Gonorrhea or Syphilis, * * * Will Prevent It. Destroys micro-organism and prevents incubation. * * * Endorsed and recommended by leading physicians"; and (3) for the three further reasons appearing in the first paragraph of this notice.

Analysis of a sample of Leucorrhea Special No. 9 showed that it contained quinine sulfate (0.64 percent), boric acid (19.95 percent), and thymol, incorporated in petrolatum. It was alleged to be adulterated in that its strength differed from and its quality fell below that which it purported or was represented to possess. The repackaged portion of this article was alleged to be misbranded (1) in that the statement on the label, "Quinine Sulph. 2% Powd. Boracic Acid 10%," was false and misleading since it contained materially less quinine sulfate and materially more boric (boracic) acid than the amounts stated; (2) in that the statements on the label of the repackaged portion, "Leucorrhea Special" and "For the Local Treatment of Leucorrhea," were false and misleading; and (3) for the four further reasons appearing in the first paragraph of this notice.

Analysis of a sample of Gleet Specific showed that it contained a mercury compound, calculated as mercury oxycyanide (0.2 percent (1–500)), eucalyptus oil, and an extract of a plant drug incorporated in wool wax (lanum). It was alleged to be misbranded (1) in that the statement on the label, "Gleet Specific," was false and misleading; (2) in that its label failed to bear a statement of the proportion of mercury, derivative of, or preparation of mercury that it contained since the statement on the label, "Mercury Oxy-cyanide 1–1500," was not an accurate statement of the proportion of mercury or mercury derivative or preparation that it contained; and (3) for the five further reasons appearing in the first paragraph of this notice.

Analysis of a sample of Argosine showed that it contained a silver compound such as argyrol, an extract of a plant drug, and water. It was alleged to be misbranded for the five reasons appearing in the first paragraph of this notice.

Analysis of a sample of Prostatic Depletent showed that it contained glycerin (approximately 12 percent), Epsom salt (approximately 6 percent), and water, emulsified. It was alleged to be misbranded in that the following statements on the label, "Prostatic Depletent * * * Highly depletent and cleansing, with immediate relief of congestion of the rectal area. Used as a Primary treatment on Prostatic disorders (Nonoperative)," were false and misleading; and for the five further reasons appearing in the first paragraph of this notice.

Analysis of a sample of Picricine showed that it consisted essentially of picric acid and eucalyptus oil incorporated in wool wax (lanum). It was alleged to be misbranded for the four reasons appearing in the first paragraph of this notice.

Analysis of a sample of the Prostatic Absorbent showed that it consisted essentially of ichthammol, juniper oil, and extracts of plant drugs incorporated in

wool wax (lanum). It was alleged to be misbranded in that the statements on the label, "Prostatic Absorbent" and "Soothing and relieving Chronic conditions of the Prostate and Bladder neck," were false and misleading; and for the five further reasons appearing in the first paragraph of this notice.

Analysis of a sample of Aesculus Pile Cerate showed that it consisted essentially of ichthammol, tar oil, and extracts of plant drugs incorporated in petrolatum. It was alleged to be misbranded in that the designation "Pile Cerate" and the statement "Relieves Bleeding, Itching, Blind, Protruding, Ulcerated Piles," on the carton label were false and misleading; and for the four further reasons appearing in the first paragraph of this notice.

Between December 31, 1940, and January 29, 1941, default decrees were entered ordering that the products be destroyed.

437. Misbranding of Syn-O-Scope and Synex. U. S. v. 9 Packages of Syn-O-Scope and 8 Bottles of Synex. Default decrees of condemnation and destruction. (F. D. C. Nos. 3551, 3552. Sample Nos. 52531-E, 52532-E.)

Each package of the Syn-O-Scope consisted of a vaporizing apparatus and a small unlabeled vial of liquid. The vaporizing apparatus would have been dangerous to health when used according to directions, and the label also bore false and misleading therapeutic claims. The vial of liquid and the bottles of Synex also failed to comply with certain labeling requirements of the law.

On December 23 and on or about December 27, 1940, the United States attorney for the Eastern District of Washington filed libels against the above-named products at Spokane, Wash., alleging that the articles had been shipped on or about August 24, 1940, by Syn-O-Scope Laboratories from Los Angeles, Calif.; and charging that they were misbranded.

Analyses of samples of the liquid contained in each package of Syn-O-Scope and of Synex showed that they consisted essentially of alcohol (19.5 percent by volume), camphor, eucalyptus oil, and water.

The Syn-O-Scope was alleged to be misbranded: (1) In that it would be dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in the labeling, namely, "Syn-O-Scope The Modern and Scientific Instrument for the Application Of Medicaments To Irritated And Congested Nasal Passages. Directions: Unscrew the cap where hose is attached to Syn-O-Scope. Allow 15 to 20 drops of medicant to flow into the sponge within the barrel. Replace cap. Then, merely place the tip in the nostril, holding it in position by the hand. Grasp the mouthpiece between the lips and blow. Use the amount of pressure suitable to your own case, but not too hard at first. The harder you blow, the deeper the medicated vapor reaches into the nasal cavities. Each day of active use add 3 to 5 drops of medicament to the sponge." (2) In that the following statements, (carton) "Syn-O-Scope The Modern Treatment For Nasal Irritations And Congestions," and (circular) "Syn-O-Scope The Modern And Scientific Instrument For The Application of Medicaments To Irritated And Congested Nasal Passages," were false and misleading since they represented that it was efficacious for the purposes recommended; whereas it was not efficacious for such purposes. (3) In that the carton and vial containing the liquid did not bear the common or usual names of the active ingredients, including the quantity of alcohol. (4) In that the vial containing the liquid failed to bear a label containing the name and address of the manufacturer, packer, or distributor. (5) In that the carton and vial containing the liquid failed to bear a label containing a statement of the quantity of contents.

The Synex was alleged to be misbranded in that the label failed to bear (1) the common or usual names of the active ingredients; (2) the name and address of the manufacturer, packer, or distributor; and (3) an accurate statement of the quantity of contents.

On February 24, 1941, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

438. Misbranding of Wonder Salve. U. S. v. 13 Cans of Wonder Salve. Consent decree of condemnation and destruction. (F. D. C. No. 3164. Sample No. 19079-E.)

The labeling of this product bore false and misleading representations regarding its efficacy as indicated hereinafter. The article would be dangerous to health when used in the manner recommended and suggested in the labeling.

On October 10, 1940, the United States attorney for the Western District of Pennsylvania filed a libel against 13 cans of Wonder Salve at Pittsburgh, Pa.,