

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circulars were false and misleading, since they represented that the article was safe; that it was a cure for constipation; and that it would promote sleep, soothe the nerves, clean the intestines, and digest food. The article was not safe and would not fulfill the promises of benefit stated and implied.

DISPOSITION: October 21, 1947. Default decree of condemnation and destruction.

2341. Misbranding of Sul-Ray Colloidal Sulphur Mineral Baths. U. S. v. 218 Cartons * * *. (F. D. C. No. 18266. Sample No. 21361-H.)

LIBEL FILED: On or about November 6, 1945, Western District of Missouri.

ALLEGED SHIPMENT: On or about March 9, 1944, by the Sante Chemical Co., from New York, N. Y.

PRODUCT: 218 cartons of *Sul-Ray Colloidal Sulphur Mineral Baths* at Kansas City, Mo. Examination disclosed that the product consisted essentially of sodium sulfate, carbonate and phosphate, borax, and sulfur.

NATURE OF CHARGE: Misbranding, Section 502 (a), the labeling of the article was false and misleading in the same respect as that of the article in the case reported in notices of judgment on drugs and devices, No. 2283.

DISPOSITION: January 11, 1946. Default decree of destruction.

2342. Misbranding of Durmaseptic. U. S. v. 37 Cartons * * * and 43 Posters. (F. D. C. No. 23853. Sample No. 24005-K.)

LIBEL FILED: October 17, 1947, Western District of Wisconsin.

ALLEGED SHIPMENT: On or about August 15 and 22, 1947, by Durma Products Co., Minneapolis, Minn.

PRODUCT: 37 dozen cartons, each containing 1 jar, of *Durmaseptic* and 43 posters entitled "Here's Guaranteed Relief for Athletes Foot and other Skin Irritations," at La Crosse, Wis. The article consisted essentially of aspirin, methyl salicylate, and eugenol in an ointment base.

LABEL, IN PART: (Jar) "Durmaseptic * * * Active Ingredients: Acetylsalicylic Acid, Methyl Salicylate, Eugenol—in a suitable base."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the carton, on the jar and circular enclosed in the carton, and on a poster were false and misleading, since such statements represented and suggested that the product would be effective in the treatment of acne, burns, callouses, itching and burning dermatitis, all fungous infections, including jungle rot and ringworm, dandruff, psoriasis, arthritis, rheumatism, and boils and impetigo, and that it would be effective for local application to the skin in treating skin disorders. The product would not be effective for such purposes.

Further misbranding, Section 502 (b) (2), the carton label failed to bear an accurate statement of the quantity of the contents; and, Section 502 (e) (2), the label failed to bear the common or usual name of each active ingredient, since no statement of ingredients appeared on the carton label, and on the jar label acetylsalicylic acid had not been declared by its common or usual name, aspirin.

DISPOSITION: December 5, 1947. Default decree of forfeiture and destruction.

2343. Misbranding of Cloro devices. U. S. v. Lawrence P. Dickey (The L. P. Dickey Co.) Plea of nolo contendere. Imposition of sentence suspended and defendant placed on probation for 6 months. (F. D. C. No. 23567. Sample No. 40688-H.)

INFORMATION FILED: October 7, 1947, District of Arizona, against Lawrence P. Dickey, trading as the L. P. Dickey Co., Tucson, Ariz.

ALLEGED SHIPMENT: On or about July 25, 1946, from the State of Arizona into the State of Missouri.

PRODUCT: This device was essentially an electrolytic cell for the manufacture of chlorine gas, with a motor and fan for blowing the gas out of an aperture.

LABEL, IN PART: "Cloro Roh Radio Co. * * * Tucson, Arizona."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circular entitled "Here's to Your Health," which was received from the defendant by the consignee at approximately the time of the receipt of the devices, were false and misleading. These statements represented and suggested that the devices would be efficacious in the treatment of sinus, arthritis, hay fever,