

PRODUCT: Analyses disclosed that the product was a yellowish aqueous liquid containing boric acid, iodides, and aromatics.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the label of the article were false and misleading, since the article would not be efficacious for the purposes represented. The label statements represented that the article would be efficacious in the treatment of ulcers, catarrhal condition of the stomach, diseases of the mucous membrane, sore throat, tonsils, quinsy, sore nose, sore gums, tongue, and mouth, leucorrhoea, piles, inflammation of the bladder, fissure of the anus, prolapsus of the lower bowel, eczema, tetter, eruption, old itching sores, burns, boils, carbuncles, wounds, itching diseases and similar conditions indicated by the abbreviation "etc.," severe burns, and scalds.

DISPOSITION: June 7, 1948. A plea of guilty having been entered, the defendant was fined \$300 on count 1, sentenced to 6 months in jail on count 2, which sentence was suspended, and placed on probation for 6 months.

2422. Misbranding of Estrusol tablets and Estrusol in oil. U. S. v. Carroll Dunham Smith Pharmacal Co., Carroll Dunham Smith, Sr., Carroll Dunham Smith, Jr., and Joseph W. Kouten. Pleas of guilty. Company fined \$500; fine suspended and company placed on probation for 1 year. Imposition of sentence against individuals suspended and they were placed on probation for 1 day. (F. D. C. No. 17878. Sample Nos. 1038-H, 3121-H, 3122-H, 31426-H, 31444-H.)

INFORMATION FILED: December 13, 1946, District of New Jersey, against Carroll Dunham Smith Pharmacal Co., a corporation, Orange, N. J.; Carroll Dunham Smith, Sr., president and treasurer; Carroll Dunham Smith, Jr., secretary; and Joseph W. Kouten, director of laboratories.

ALLEGED SHIPMENT: Between May 2, 1944, and June 22, 1945, from the State of New Jersey into the States of North Carolina and California and the District of Columbia.

LABEL, IN PART: *Estrusol tablets.* (Bottle) "Estrogenic substances from pregnant mares' urine; principally estrone and estradiol."

Estrusol in oil. (Vials) "Estrogenic substance * * * From pregnant mares' urine. Contains principally estrone and estradiol"; (cartons) "Natural estrogenic substances (principally estrone and estradiol) from pregnant mares' urine."

NATURE OF CHARGE: Misbranding, Section 502 (a), the statements from the above-quoted labels were false and misleading. These statements represented and suggested that the estrogenic material present in the articles was estrogenic substance as it occurs in and is extracted from pregnant mares' urine, whereas the estrogenic material was not estrogenic substance as it occurs in and is extracted from pregnant mares' urine.

DISPOSITION: November 7, 1947. Pleas of guilty having been entered, the corporation was fined \$500; the fine was suspended and the corporation was placed on probation for 1 year. Imposition of sentence against the individuals was suspended and they were placed on probation for 1 day.

2423. Misbranding of Sul-Ray Colloidal Sulphur Mineral Baths. U. S. v. Sante Chemical Co., Inc., and Isaac Salzman. Pleas of guilty. Fine of \$500 against defendants jointly. (F. D. C. No. 20206. Sample Nos. 4062-H, 4091-H.)

INFORMATION FILED: October 23, 1947, Southern District of New York, against the Sante Chemical Co., Inc., New York, N. Y., and Isaac Salzman, secretary.

ALLEGED VIOLATION: On or about December 15, 1944, and January 6, 1945, the defendants shipped from the State of New York into the State of Pennsylvania various quantities of *Sul-Ray Colloidal Sulphur Mineral Baths*. The defendants were charged also with giving a false guaranty. The guaranty was given by the defendants on or about February 7, 1945, to the National Healthaids, Inc., New York, N. Y., and guaranteed that drug preparations manufactured by the defendants and sold to the National Healthaids, Inc., would comply fully with the provisions of all laws, State or Federal. On or about February 28, 1945, the defendants delivered a quantity of *Sul-Ray Colloidal Sulphur Mineral Baths* to the National Healthaids, Inc., and on April 4, 1945, the latter firm shipped the product from the State of New York into the State of Pennsylvania. The product so guaranteed and shipped was misbranded.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in a leaflet entitled "Sul-Ray Colloidal Sulphur Mineral Baths," which was enclosed

with the article, were false and misleading since the article would not be effective for the purposes represented. The statements represented and suggested that the article would be effective in bringing the world's great mineral baths into one's home; that if added to the bath, it would bring relaxation and relief from pain and itching to those afflicted with rheumatism, arthritis, neuritis, lumbago, and generalized skin conditions; that it would stimulate the circulation and would refresh and vitalize; that it would bathe away aches, pains, and fatigue; that it would aid in eliminating body odors; that it would if used frequently and for long periods, remedy stubborn cases of long standing; that it would insure deep, refreshing sleep if used before retiring; that it would show indication of improvement in most users after the first few baths; that sulfur is a remedy for diseases generally; and that colloidal sulfur would penetrate the skin.

DISPOSITION: December 19, 1947. Pleas of guilty having been entered, the court imposed a fine of \$500 against the defendants jointly.

2424. Misbranding of Firmo. U. S. v. Maynard H. Smith (Continental Sales Co.). Plea of guilty. Imposition of sentence suspended and defendant placed on probation for 1 year (F. D. C. No. 24243. Sample No. 90361-H.)

INFORMATION FILED: April 12, 1948, District of Columbia, against Maynard H. Smith, trading as the Continental Sales Co., in Washington, D. C.

ALLEGED SHIPMENT: The product and a booklet relating to the product and headed "The Anglo Arabic Importing Co., Ltd." were shipped on or about July 18 and July 7, 1947, respectively, from the District of Columbia into the State of Virginia.

PRODUCT: Analysis disclosed that the product contained approximately 3,375 International Units of estrogenic hormones per ounce.

LABEL, IN PART: "Firmo Contains 7500 I. U. of Natural Estrogenic Hormones Per Oz. of Cream."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the article were false and misleading since they represented and suggested that the article was an aphrodisiac; that it would be efficacious to maintain sexual potency to an extreme old age; and that it would be efficacious to increase the size of the male sex organ and to increase sexual vigor. The article was not an aphrodisiac, and it would not be efficacious for the purposes represented.

DISPOSITION: May 5, 1948. A plea of guilty having been entered, the court suspended the imposition of sentence and placed the defendant on probation for 1 year.

2425. Misbranding of Marvel Massage Cream and Marvel Bath. U. S. v. 37 Jars, etc. (F. D. C. No. 24453. Sample Nos. 16834-K to 16836-K, incl.)

LIBEL FILED: March 1, 1948, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about November 15 and December 22, 1947, by the U. S. Products Co. (N. C. Douglas), from Wilmette, Ill.

PRODUCT: 37 1-pound jars of cream with loose labels reading in part "Marvel Massage Cream 1 Lb Net" and 50 red bags and 56 brown bags of powder with loose labels reading in part "Marvel Bath 6 Lbs. Net." Examination showed that the cream consisted essentially of water, epsom salt, and sodium sulfate, with small proportions of stearates and methyl salicylate; that the powder in the red bags consisted essentially of epsom salt, sulfur, powdered skim milk, and a perfume; and that the powder in the brown bags consisted essentially of epsom salt, sulfur, sodium carbonate, borax, common salt, and a perfume.

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statement "A Reducing Aid for normal overweights" was false and misleading, since the article was not effective in promoting loss of weight.

DISPOSITION: April 20, 1948. Default decree of condemnation and destruction.

2426. Misbranding of La Toja Bath, La Toja Toilet Soap, and La Toja Mud Soap. U. S. v. 97 Jars, etc. (F. D. C. No. 23182. Sample Nos. 6542-H to 6544-H, incl.)

LIBEL FILED: June 12, 1947, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about December 12, 1946, and March 11, 1947, by La Toja Products, Inc., from New York, N. Y.

PRODUCT: 97 14-ounce jars of *La Toja Bath*, 147 cartons of *La Toja Toilet Soap*, and 97 cartons of *La Toja Mud Soap* at Scranton, Pa., together with a number