

**DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS**

**DRUGS FOR HUMAN USE\***

**3092. Misbranding of Adlerika. U. S. v. 13 $\frac{2}{3}$  Dozen Bottles \* \* \*. (F. D. C. No. 29024. Sample No. 64194-K.)**

**LIBEL FILED:** March 24, 1950, Northern District of Iowa.

**ALLEGED SHIPMENT:** On or about June 17 and November 10, 1949, by the Adlerika Co., from St. Paul, Minn.

**PRODUCT:** 13 $\frac{2}{3}$  dozen bottles of *Adlerika* at Dubuque, Iowa.

**LABEL, IN PART:** "Adlerika \* \* \* combines the laxative properties of Magnesium Sulphate (Epsom Salt-U. S. P.) Cascara and Licorice with \* \* \* Fennel, Anise, Sassafras and Ginger \* \* \* Carbonate of magnesia, Oil of Cinnamon, Methyl Salicylate and Glycerin."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements on the bottle label and in accompanying labeling consisting of a leaflet, circular, and display carton were false and misleading since they represented and suggested that the article would be effective to tone up the alimentary canal; that it would be effective in promoting a better sense of well being, toning up and conditioning the nutrition zone, promoting the assimilation of food, calming the stomach and intestines, and in treating headache, ulcers, inability to sleep, bad breath, rheumatism, backache, sore muscles, lumbago, arthritis, stomach ache, and obesity; and that it would be effective to promote relaxation. The article was not effective for such purposes.

**DISPOSITION:** April 25, 1950. Default decree of condemnation and destruction.

**3093. Misbranding of V. M. Tablets. U. S. v. 6 Bottles, etc. (F. D. C. No. 28714. Sample No. 75432-K.)**

**LIBEL FILED:** February 9, 1950, District of Colorado.

**ALLEGED SHIPMENT:** On or about January 2 and 16, 1950, from Chicago, Ill.

**PRODUCT:** 6 200-tablet bottles, 20 100-tablet bottles, and 46 25-tablet bottles of *V. M. Tablets* at Denver, Colo., in possession of Leed's Health House.

**LABEL, IN PART:** (Bottle) "V. M. \* \* \* Also known as *VegeMucene Okra Concentrated by dehydration.*"

**NATURE OF CHARGE:** Misbranding, Section 502 (a), the statement "Drugless Relief from Hyper-Acid conditions of Stomach Ulcers Colitis Gas With *V. M. Tablets,*" appearing on a placard on display with the article in the window of Leed's Health House, was false and misleading in that the article was not an adequate and effective treatment for stomach ulcers, colitis, and gas. The article was misbranded while held for sale after shipment in interstate commerce.

**DISPOSITION:** March 22, 1950. Default decree of condemnation and destruction.

**3094. Misbranding of camphorated oil. U. S. v. 26 Dozen Bottles \* \* \*. (F. D. C. No. 28857. Sample No. 48873-K.)**

**LIBEL FILED:** February 15, 1950, Middle District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about October 3, 1949, from Newark, N. J.

\*See also Nos. 3082, 3086, 3088-3091.

**PRODUCT:** 26 dozen ½-ounce bottles of *camphorated oil* at Scranton, Pa., in possession of Trager Mfg. Corp. The product was repackaged by the consignee after shipment.

**NATURE OF CHARGE:** Misbranding, Section 502 (a), the label statement "For \* \* \* Bruises \* \* \* Pains and Swellings of the Breasts, Joints or Rheumatism" was false and misleading since the article was not effective in the treatment of such conditions; Section 502 (b) (1), the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; and, Section 502 (b) (2), the article failed to bear an accurate statement of the quantity of the contents. The article was misbranded while held for sale after shipment in interstate commerce.

**DISPOSITION:** May 15, 1950. Default decree of condemnation and destruction.

**3095. Misbranding of mineral oil. U. S. v. 92 Bottles, etc. (F. D. C. No. 28862. Sample No. 64633-K.)**

**LIBEL FILED:** February 15, 1950, District of Minnesota.

**ALLEGED SHIPMENT:** On or about October 21, November 8, and December 13, 1949, from Whiting, Ind.

**PRODUCT:** 92 1-quart bottles and 37 1-gallon bottles of *mineral oil* at Minneapolis, Minn., in possession of L. S. Donaldson Co.

**LABEL, IN PART:** "White Mineral Oil U. S. P. Heavy."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), the label statement "ideally adapted for expectant \* \* \* mothers" was false and misleading since *mineral oil* may not be used without risk by pregnant women since it predisposes to hemorrhagic disease of the newborn. The article was misbranded while held for sale after shipment in interstate commerce.

**DISPOSITION:** May 19, 1950. Default decree of destruction.

**3096. Misbranding of vending machines and No. 5 Special Tablets. U. S. v. 12 Vending Machines \* \* \* (and 1 other seizure action). (F. D. C. No. 28711. Sample No. 72462-K.)**

**LIBELS FILED:** February 10, 1950, Southern District of Indiana.

**ALLEGED SHIPMENT:** The *vending machines* were shipped from Chicago, Ill., in October and November 1949, and the *No. 5 Special Tablets* were shipped from Columbus, Ohio, on or about October 5, 1949.

**PRODUCT:** 12 *vending machines* and 480 boxes of *No. 5 Special Tablets* at Indianapolis, Ind.

**LABEL, IN PART:** (Box) "No. 5 Special Tablets Contains: Thiamine Hydrochloride, Irradiated Yeast, Reduced Iron and Dibasis Calcium Phosphate with inert excipients. Distributed by Anstess & Fay, 2226 N. Meridian, Indianapolis, Ind. \* \* \* Contents, Six Tablets."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), the following statements which appeared in the labeling of each of the vending machines in which the tablets had been placed were false and misleading since the tablets contained in the vending machines, for vending therefrom, would not fulfill the promises of benefit stated and implied: "Get Vim Vigor Vitality With No. 5 Special No. 5 Special For Weak Glands of Men And Women Are You And Your Wife Happy If Not Try No. 5 Special." The tablets and the vending machines were misbranded while held for sale after shipment in interstate commerce.