

3104. Misbranding of Pancrelans Capsules. U. S. v. 11 Bottles * * *.
(F. D. C. No. 28709. Sample No. 69461-K.)

LABEL FILED: February 6, 1950, Western District of New York.

ALLEGED SHIPMENT: On or about January 13, 1950, by the Philadelphia Capsule Co., from Philadelphia, Pa.

PRODUCT: 11 100-capsule bottles of *Pancrelans capsules* at Buffalo, N. Y.

LABEL, IN PART: (Bottle) "Capsules 100 Pancrelans Approximates Special Pancreas 3 $\frac{1}{3}$ Grains Caution—To be used only by or on the prescription of a physician."

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use since it failed to bear any directions for use. The article was not entitled to exemption from the requirements of Section 502 (f) (1) and the regulations promulgated thereunder since adequate information for the use of the article was not readily available to physicians because it was inert and adequate information for its use as a drug, therefore, did not exist.

DISPOSITION: March 6, 1950. Default decree of condemnation and destruction.

3105. Misbranding of U-Ca-Lyp-To, U-Ca-Lyp-To Inhaler, Baker's Liquid for Corns and Callouses, Baker's Foot Balm, and Baker's Refined Lanolin Product. U. S. v. 393 Bottles, etc. (F. D. C. No. 28492. Sample Nos. 51970-K to 51974-K, incl.)

LABEL FILED: December 22, 1949, Southern District of Ohio.

ALLEGED SHIPMENT: Between the approximate dates of September 23 and November 12, 1949, from New York, N. Y.

PRODUCT: 393 bottles, ranging in size from 1-ounce to 32-ounces, and 1 1-gallon can, of *U-Ca-Lyp-To*; 468 *U-Ca-Lyp-To Inhalers*; 517 $\frac{1}{4}$ -ounce bottles of *Baker's Liquid for Corns and Callouses*; 126 4-ounce jars and 90 12-ounce jars of *Baker's Foot Balm*; and 37 4-ounce jars of *Baker's Refined Lanolin Product*, at Hamilton, Ohio.

Examination disclosed that the *U-Ca-Lyp-To* was an oil containing aromatics, including eucalyptol and camphor; and the *U-Ca-Lyp-To Inhalers* consisted of a glass tube containing a pledget of cotton, stoppered with a perforated cork; that the *Baker's Liquid for Corns and Callouses* contained salicylic acid, alcohol, ether, and pyroxylin; that the *Baker's Foot Balm* contained aromatics, including menthol, camphor, and eucalyptol; and that the *Baker's Refined Lanolin Product* was a perfumed ointment.

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the articles failed to bear adequate directions for use in the treatment of the conditions for which they were intended by Ervin G. Baker, their distributor. The articles were misbranded while held for sale after shipment in interstate commerce. The conditions for which the articles were intended were as follows: (*U-Ca-Lyp-To* and *U-Ca-Lyp-To Inhalers*) chronic cough, arthritis, neuritis, neuralgia, rheumatism, sciatica, lumbago, earache, and bleeding gums; (*Baker's Liquid for Corns and Callouses*) bunions, ingrown toenails, and warts; (*Baker's Foot Balm*) swollen ankles and insteps, ringworms, dermatitis, bunions, eczema, and impetigo; and (*Baker's Refined Lanolin Product*) the prevention and treatment of baldness and falling hair.