

to bear adequate directions for use. The product was misbranded in the above respects when introduced into, and while in, interstate commerce.

Misbranding (labeled bottles), Section 502 (a), the statement which appeared on the label "To Help Relieve: Excessive Falling Hair . . . Itching Scalp * * * Various Scalp Ills" was false and misleading since the product was not an effective treatment for such conditions.

Further misbranding, Section 502 (a), the label statement "With Lanolin" was misleading since the product also contained petrolatum; and, Section 502 (e) (2), the product was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each active ingredient. The product was misbranded in the latter respects while held for sale after shipment in interstate commerce.

DISPOSITION: May 16, 1950. Default decree of condemnation and destruction.

3228. Misbranding of X-ray machine. U. S. v. 1 X-ray Machine, etc.
(F. D. C. No. 25820. Sample No. 3145-K.)

LIBEL FILED: October 12, 1948, District of Maryland.

ALLEGED SHIPMENT: On or about May 14 and June 17, 1947, by the Westinghouse Electric Corp., from Omaha, Nebr.

PRODUCT: 1 X-ray machine with accessories at Baltimore, Md.

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the device failed to bear adequate directions for use in that the labeling failed to state the conditions for which it was to be used.

DISPOSITION: April 25, 1949. Virginia Laboratories, Inc., Baltimore, Md., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the device be delivered to the claimant, under bond, to be sold or disposed of for uses which conform with the requirements of the law, under the supervision of the Food and Drug Administration. On June 30, 1950, the device was sold to a physician specializing in dermatology, for use in his practice.

DRUG FOR VETERINARY USE

3229. Misbranding of phenothiazine drench. U. S. v. 1 Drum * * *
(F. D. C. No. 29489. Sample No. 69913-K.)

LIBEL FILED: July 14, 1950, District of Kansas.

ALLEGED SHIPMENT: On or about February 16, 1950, by the Pearson-Ferguson Chemical Co., from Kansas City, Mo.

PRODUCT: 1 150-pound drum of *phenothiazine drench* at Lyndon, Kans. Examination showed that the product was powdered phenothiazine.

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use since no directions for use appeared therein; and, Section 502 (f) (2), the labeling failed to warn against use of the article in the treatment of sick, feverish, or physically weak animals, especially horses, since such animals should not be treated with the article except on the advice of a veterinarian.

DISPOSITION: September 26, 1950. Default decree of condemnation and destruction.