

to bear labels containing the name and place of business of the manufacturer, packer, or distributor; and, Section 502 (b) (2), all of the repackaged drugs bore no labels containing statements of the quantity of the contents.

Further misbranding, Section 502 (d), the repackaged *Seconal Sodium capsules* contained a chemical derivative of barbituric acid, which derivative has been found to be, and by regulations designated as, habit forming; and the drug failed to bear a label containing the name, and quantity or proportion of such derivative and the statement "Warning—May be habit forming."

Further misbranding, Section 502 (f) (1), all of the repackaged drugs failed to bear labeling containing adequate directions for use; and, Section 502 (f) (2), the repackaged *Desowyn Hydrochloride tablets* and *Combisul tablets* bore no labeling containing warnings against use in those pathological conditions where their use may be dangerous to health, and against unsafe dosage and methods and duration of administration.

DISPOSITION: September 15, 1950. Pleas of guilty having been entered, the court fined William Chester Dickson \$150 and Oliver A. Roholt, Sr., \$25.

**3267. Misbranding of Special tablets. U. S. v. 2 Bottles \* \* \*. (F. D. C. No. 29726. Sample No. 81219-K.)**

LIBEL FILED: September 11, 1950, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 26 and April 1, 1950, by D. M. Olmstead Laboratories, from Camden, N. J.

PRODUCT: 2 bottles of *Special tablets* at Darby, Pa.

LABEL, IN PART: (Bottles) "3500 C. T. Special (Dr. Herting) Orchic Substance—1 gr. Prostate Substance—1 gr. d1-Desoxyephedrine Hydrochloride 1/10 gr. Yohimbine Hydrochloride 1/10 gr. Oil Peppermint q.s."

NATURE OF CHARGE: Misbranding, Section 502 (c), the information required by, and under authority of, Section 502 (e) (2) to appear on the label, namely, the common or usual names of each active ingredient, was not prominently placed on the label with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use since the names of the inert ingredients were arranged in such manner on the label as not to inform the purchaser which of the ingredients were inactive; and, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use since it bore no directions for use.

DISPOSITION: October 17, 1950. Default decree of condemnation and destruction.

**3268. Misbranding of Elixir Aletris-Helonias Compound. U. S. v. 4 Bottles, etc. (F. D. C. No. 29245. Sample No. 60095-K.)**

LIBEL FILED: May 29, 1950, Northern District of Illinois.

ALLEGED SHIPMENT: On or about May 2, 1950, by Parke, Davis & Co., Detroit, Mich.

PRODUCT: 4 1-pint bottles and 2 1-gallon bottles of *Elixir Aletris-Helonias Compound* at Chicago, Ill.

LABEL, IN PART: "Elixir Aletris-Helonias Compound Each Fluid Ounce Represents Aletris (Star Grass)—30 Grains Helonias (False Unicorn)—30 Grains Caulophyllum (Blue Cohosh)—30 Grains Mitchella (Squaw Vine)—

30 Grains Viburnum Opulus (Cramp Bark)—15 Grains Alcohol 27 Percent Adult Dose—1 To 2 Fluid Drachms (4 to 8 cc.) As Directed By The Physician.”

**NATURE OF CHARGE:** Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use since the directions found in the labeling, namely, “1 To 2 Fluid Drachms (4 to 8 cc.) As Directed By The Physician,” failed to reveal the condition or conditions of the body for which the article when used as directed would be effective.

**DISPOSITION:** September 12, 1950. Default decree of condemnation and destruction.

**3269. Misbranding of Hollis cold and grippe remedy, Hollis Indian herbs, and Hollis tonic for men. U. S. v. 28 Bottles, etc. (F. D. C. No. 29665. Sample Nos. 62334-K, 62336-K, 62337-K.)**

**LABEL FILED:** July 28, 1950, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about March 22 and October 6 and 25, 1949, from New York, N. Y., Jersey City, N. J., and Detroit, Mich.

**PRODUCT:** 28 100-tablet bottles and 27 300-tablet bottles of *Hollis cold and grippe remedy*, 65 3-ounce packages of *Hollis Indian herbs*, and 65 50-tablet bottles and 43 250-tablet bottles of *Hollis tonic for men* at Boston, Mass., in possession of the consignee, Thomas Hollis Co. The products had been shipped in bulk and subsequently were repacked and labeled by the consignee.

Examination showed that the *Hollis cold and grippe remedy* was a mixture of lactose and small amounts of plant extractives, including atropine; that the *Hollis Indian herbs* was a mixture of cut herbs, including prickly ash bark, dandelion root, gentian root, yellow dock root, sarsaparilla root, Chimaphila, boldo leaves, and cascara bark; and that the *Hollis tonic for men* contained zinc phosphide and nux vomica alkaloids, including strychnine.

**LABEL, IN PART:** “Hollis A. B. B. Vegetable Cold and Grippe Remedy,” “Hollis Indian Herbs A Vegetable Remedy,” and “Hollis Tonic For Men.”

**NATURE OF CHARGE:** *Hollis cold and grippe remedy.* Misbranding, Section 502 (a), the label statement “Cold and Grippe Remedy” was false and misleading since the article was not an effective treatment for colds and grippe; Section 502 (b) (2), the article failed to bear a label containing a statement of the quantity of the contents; and, Section 502 (e) (2), the article was fabricated from two or more ingredients, and its label failed to bear a statement of the quantity or proportion of the atropine contained therein.

*Hollis Indian herbs.* Misbranding, Section 502 (a), the label statements “A Vegetable Remedy Blood Tonic Spring Medicine \* \* \* An All Year Round Medicine” were false and misleading since such statements represented and suggested that the article was effective in the treatment of many unspecified diseases of the human body and had a specific remedial effect on the blood, whereas the article was not effective in the treatment of such diseases and did not have a specific remedial effect on the blood; and, Section 502 (f) (2), the article was essentially a laxative, and its labeling failed to warn that the article should not be used in case of nausea, vomiting, abdominal pain, or other symptoms of appendicitis, and that continued use may result in dependence upon laxatives.

*Hollis tonic for men.* Misbranding, Section 502 (a), the label statement “Tonic For Men Vim and Vigor” was false and misleading since such statement represented and suggested that the article was effective in increasing the