

conditions in which blood salt is deficient; that it was an adequate and effective treatment for fatigue, weakness, depression, twitching, cramps, convulsions, stroke, poor blood circulation, and difficult breathing due to exposure to excessive heat and excessive perspiration; that it would enable the user to stop the tobacco habit; that it was an adequate and effective treatment for ailments associated with toxemia, alimentary or otherwise, which show symptoms of incidental, habitual, or secondary constipation, and blood salt deficiencies; that it was an adequate and effective treatment for anemia, arthritis, sciatica, neuritis, headache, nervousness, and high blood pressure; and that it was an adequate and effective treatment for stomach, liver, kidney, intestine, skin, and blood troubles, and many other ailments. The article was not an adequate and effective treatment for the purposes and conditions represented.

DISPOSITION: October 31, 1952. A plea of nolo contendere having been entered, the court imposed a fine of \$1,000.

3838. Misbranding of Somaca. U. S. v. 75 Bottles, etc. (F. D. C. No. 31774. Sample Nos. 23640-L, 37576-L.)

LIBEL FILED: On or about October 22, 1951, Southern District of New York.

ALLEGED SHIPMENT: On or about August 31, 1951, by Garrett Laboratories, Inc., from Clifton, N. J.

PRODUCT: 75 3-ounce bottles of *Somaca*, 1,500 copies of a leaflet entitled "This Can Happen To You," 700 copies of a letter entitled "My Dear Friend," and 200 copies of a letter entitled "Dear Friend" at New York, N. Y.

LABEL, IN PART: "Net Wgt. 3 ounces SOMACA * * * Active Ingredients Belladonna Extract Powder Each level teaspoonful of Somaca contains about 0.1 mg. Belladonna alkaloids. Sodium Bicarbonate Calcium Carbonate Magnesium Oxide John Peck Laboratories, Inc."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the product, namely, in the leaflets entitled "This Can Happen To You" and in the letters entitled "My Dear Friend" and "Dear Friend," were false and misleading since the article would not be effective in the treatment of ulcers of the digestive tract, as claimed in the labeling.

DISPOSITION: November 21, 1951. Default decree of condemnation and destruction.

3839. Misbranding of Foley Quit-Its throat lozenges. U. S. v. 243 Vials * * *. (F. D. C. No. 32577. Sample No. 10628-L.)

LIBEL FILED: March 6, 1952, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about January 11 and February 6, 1952, by Foley & Co., from Chicago, Ill.

PRODUCT: 243 vials of *Foley Quit-Its throat lozenges* at Milwaukee, Wis.

LABEL, IN PART: (Vial) "Fifteen Foley Quit-Its Antibiotic-Anesthetic Throat Lozenges * * * Each lozenge contains 1 mg. of tyrothricin, 7.5 mg. of benzocaine and ½ grain of ammonium chloride."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in a leaflet entitled "Is Your Face Ever Red," which was enclosed in the carton with each vial, were false and misleading. These statements represented and suggested that the product would be effective in checking, combating, helping to overcome, and preventing throat infections, in protecting against reinfection, and in getting at the cause most often responsible for the condition; that