

United States Department of Agriculture

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

18451-18500

[Approved by the Secretary of Agriculture, Washington, D. C., March 5, 1932]

18451. Misbranding of Benetol suppositories. U. S. v. 10 Cartons of Benetol Suppositories. Default decree of destruction entered. (F. & D. No. 25919. I. S. No. 12021. S. No. 4123.)

Examination of a drug product, known as Benetol suppositories, from the shipments herein described having shown that the circular accompanying the article bore statements representing that it possessed antiseptic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Utah.

On February 17, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 10 cartons of Benetol suppositories, remaining in the original unbroken packages at Ogden, Utah, alleging that the article had been shipped by the Benetol Co., from Redondo Beach, Calif., on or about July 18, 1930 (part shipped September 6, 1930), and had been transported from the State of California into the State of Utah, and charging misbranding in violation of the food and drugs act.

Analysis of a sample of the article by this department showed that it consisted essentially of a small proportion of a magnesium compound and a trace of alpha naphthol incorporated in theobroma oil. Bacteriological examination showed that the article was not antiseptic.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the accompanying circular were false and misleading when applied to the said article, since bacteriological tests showed that it was not antiseptic: "Feminine Hygiene through powerful prophylactics * * * The true test of the absolute value of any germicide is its power to kill all germ life when it is actually being used in the human body. The ordinary test tube tests are carried on under artificial conditions, and do not tell us how the disinfectant would act in the body. Women of today want positive protection. They want to know exactly how completely the disinfectant will kill the germs when they use it. * * * Absolute sterility was produced by each of the Benetol products. All germ life of every description was killed, * * * Note the swift and complete disinfection below * * * Germ life in vagina per unit, 840,000. Five minutes after use of one Benetol Suppository, sterile * * * All forms of germ life killed."

On May 2, 1931, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18452. Adulteration and misbranding of Benetol tooth cream. U. S. v. 1 Dozen Tubes of Benetol Tooth Cream. Default decree of destruction entered. (F. & D. No. 26010. I. S. No. 12254. S. No. 4307.)

Examination of the Benetol tooth cream from the shipment herein described having shown that the labeling represented that the article possessed antiseptic properties and contained alcohol, whereas it was not antiseptic, and