1722. Adulteration and misbranding of adhesive strips. U. S. v. 118 Cartons of Adhesive Strips. Default decree of condemnation and destruction. (F. D. C. No. 19173. Sample No. 16062–H.)

LIBEL FILED: February 13, 1946, Eastern District of Michigan.

ALLEGED SHIPMENT: On or about December 19, 1945, by the Hampton Manufacturing Co., from Carlstadt, N. J.

PRODUCT: 118 cartons, each containing 12 packages, of *adhesive strips* at Detroit, Mich.

LABEL, IN PART: "12 Blue Cross—Sterilized Adhesive Strips Sulfathiazole pad."

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be "Adhesive Absorbent Gauze," a drug the name of which is recognized in the United States Pharmacopoeia, an official compendium, but its quality and purity fell below the official standard since it was not sterile but was contaminated with living micro-organisms.

Misbranding, Section 502 (a), the label statement, "Sterilized Adhesive Strips," was false and misleading; and, Section 502 (i) (1), the container of the article was so made, formed, and filled as to be misleading since the adhesive strips occupied only approximately 46 percent of the capacity of the package.

DISPOSITION: May 13, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS*

DRUGS FOR HUMAN USE

1723. Misbranding of Diet Supplement No. 4B. U. S. v. Dr. Pierre A. Boncquet (Dr. P. A. Boncquet Products). Plea of not guilty. Verdict of guilty. Fine, $300. Sentence of 1 year in jail suspended; defendant placed on probation for 3 years. (F. D. C. No. 14277. Sample No. 62752–F.)

INFORMATION FILED: March 10, 1945, Southern District of California, against Dr. Pierre A. Boncquet, trading as Dr. P. A. Boncquet Products, Los Angeles, Calif.

ALLEGED SHIPMENT: On or about March 25, 1944, from the State of California into the State of Missouri.

PRODUCT: Examination of the product indicated that it was an aqueous, syrupy suspension containing large amounts of reducing sugars and smaller amounts of dissolved and undissolved proteinaceous matter, lactic acid, calcium, iron, chloride, phosphate, and a trace of manganese.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in an accompanying circular entitled "A Reconstruction Diet with Vital Raw Organs from Healthy Animals" were false and misleading since they represented and suggested that the article would be efficacious in the cure, mitigation, treatment, and prevention of cardiac deficiency, high blood pressure, low blood pressure, juvenile raches, uremia, stomach ulcers, diarrhea, constipation, spasticity, neuritis, arteriosclerosis, arthritis, steatorrhea, biliousness, acne pimples, heart deficiency, stomach deficiency, anemia, kidney and liver deficiency, headache, and neuralgia. The article would not be efficacious for such purposes.

The article, together with another product, *Diet Supplement No. 10*, was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: On May 22, 1945, the defendant having entered a plea of not guilty, the case came on for trial before a jury. This trial resulted in a jury disagreement. Thereafter, the case was retried before another jury, resulting in a verdict of guilty; and on October 16, 1945, the court imposed a fine of $150 on each of counts 1 and 2 relating to the *Diet Supplement No. 4B* and a sentence of 1 year in jail with respect to count 3 relating to the *Diet Supplement No. 10*. The jail sentence was suspended and the defendant was placed on probation for 3 years.

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*See also Nos. 1702, 1709, 1711, 1713, 1716–1722.