

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the letter which accompanied both shipments of the article and in the leaflet accompanying the first-mentioned shipment were false and misleading since they represented, suggested, and created in the mind of the reader the impression that the article would be efficacious in the treatment of piles, eczema, boils, burns, diseases and disorders of the prostate gland, carbuncles, old sores, cuts, blood poison, infection, fistula, tired and frosted feet, bruises, erysipelas, sprains, scurvy, and itch; that it would restore and maintain good health; that it would be efficacious in the treatment of common ailments and puncture wounds of the foot; that it would correct frequency of urination; and that its use would keep one out of hospitals, would keep one from having expensive operations, and would give one better health. The article would not be efficacious for the purposes represented and suggested.

DISPOSITION: April 28, 1947. A plea of guilty having been entered by the defendant, the court imposed a fine of \$100, plus costs.

2174. Misbranding of Tarbonis. U. S. v. 48 Jars and 45 Jars * * * and a number of circulars and booklets. (F. D. C. No. 20805. Sample No. 1660-H.)

LABEL FILED: September 16, 1946, Middle District of North Carolina.

ALLEGED SHIPMENT: From Cleveland, Ohio, by the Tarbonis Company. The product and a number of the circulars and booklets were shipped on or about September 19, 1945, and the remainder of the circulars were shipped on or about March 1, 1946.

PRODUCT: 48 2¼-ounce jars and 45 1-pound jars of *Tarbonis* at Lexington, N. C., together with 200 circulars entitled "Right Out of This World," 500 circulars entitled "The Pioneer That Made Tar Acceptable," 12 circulars entitled "In Stubborn Skin Conditions," and 7 booklets entitled "Tarbonis." Analysis showed that the product consisted essentially of coal tar, menthol and oil of lemon in a greaseless ointment base.

LABEL, IN PART: "Tarbonis Liquor Carbonis Detergens (Special Process) 5% Lanolin and Menthol Incorporated in a Greaseless Cream."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements and the designs of various skin diseases, appearing on the label of the article and in the circulars and booklets, were false and misleading since they represented and suggested that the article would be effective in the prevention and treatment of occupational dermatitis, eczema, infantile eczema, seborrheic dermatitis, tinea corporis, intertrigo, indolent ulcers, industrial dermatoses, ulcer, cruris, psoriasis, infectious eczematoid dermatitis, ringworm, folliculitis, pityriasis, varicose ulcers, tinea cruris, lichen simplex chronicus, trichophytosis corporis, leg ulcers, and a host of other cutaneous disorders; that it would be effective against a wide array of occupational irritants; that it would act as a preventive when systematically used as a prophylactic; that it would correct stagnation of the blood serum in the tissues and trophic ulcer formation; that it would cause decongestion and improvement of the lymph space circulation; that it would interrupt the vicious circle of stagnation and increase local edema; and that it would restore adequate nutrition to the affected area and initiate healing. The article would not be effective for the purposes so represented and suggested.

DISPOSITION: July 8, 1947. The Tarbonis Company, claimant, having failed to file an answer in the matter, judgment of condemnation was entered and the product was ordered destroyed.

2175. Misbranding of Nanette Hormone Cream. U. S. v. 49 Jars * * *. (F. D. C. No. 22597. Sample No. 50260-H.)

LABEL FILED: March 4, 1947, Northern District of Alabama.

ALLEGED SHIPMENT: On or about April 30 and October 2, 1946, by the Nix Cosmetics Company, from Memphis, Tenn.

PRODUCT: 39 2-ounce jars and 10 6-ounce jars of *Nanette Hormone Cream* at Birmingham, Ala. Examination showed that the product was an ointment containing 4.9 milligrams of diethylstilbestrol per 2 ounces.

LABEL, IN PART: "Nanette Hormone Cream."

NATURE OF CHARGE: Misbranding, Section 502 (a), the name "Hormone Cream" and the labeled statement "Each 2 ozs. contains 5 mgs. stilbestrol (synthetic