

DISPOSITION: June 21, 1949. Default decree of condemnation and destruction.

2885. Misbranding of Buff's Purgative Elixir Compound. U. S. v. 192 Bottles
* * *. (F. D. C. No. 27276. Sample No. 2104-K.)

LIBEL FILED: June 1, 1949, District of Columbia.

ALLEGED SHIPMENT: On or about June 28, 1948, by the Frank Drug Co., from Arlington, Va.

PRODUCT: 192 6-ounce bottles of *Buff's Purgative Elixir Compound* at Washington, D. C. Analysis showed that the product consisted essentially of epsom salt, a laxative plant drug, alcohol, water, and flavoring materials.

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements on the label of the article were false and misleading since the article was not effective in the treatment of the conditions stated and implied: "Aid in the relief of persons afflicted with Dyspepsia, Biliary Attacks, Loss of Appetite and other Digestive Disorders * * * exciting the Digestive Tract to a healthy, normal action."

DISPOSITION: October 19, 1949. Default decree of condemnation. The court ordered that the product be delivered to a local hospital for its use, and not for sale, since the hospital had advised that while they did not care to use the contents, they could use the 192 6-ounce bottles.

2886. Misbranding of rectal suppositories. U. S. v. 33 Dozen Boxes * * *
(F. D. C. No. 27455. Sample No. 55515-K.)

LIBEL FILED: On or about July 14, 1949, Western District of Missouri.

ALLEGED SHIPMENT: On or about March 18 and 25, 1949, by the S. E. Massengill Co., from Bristol, Tenn.—Va.

PRODUCT: 33 dozen boxes of *rectal suppositories* at Kansas City, Mo.

LABEL, IN PART: "Rectal Suppositories Aminophylline and Phenobarbital Sodium."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statement "Rectal Suppositories Aminophylline and Phenobarbital Sodium" was false and misleading since it implied that the article was suitable for the administration of aminophylline and phenobarbital sodium by rectum, whereas it was not suitable for such purpose since it would not melt at body temperature; and the label statement "Suppositories readily fuse or melt when exposed to body temperature" was false and misleading since the article would not fuse or melt at such temperature.

DISPOSITION: September 15, 1949. Default decree of destruction.

2887. Misbranding of Baldwin Hair and Scalp Tonic. U. S. v. 8 Bottles, etc.
(F. D. C. No. 27178. Sample No. 46140-K.)

LIBEL FILED: May 9, 1949, Southern District of Illinois.

ALLEGED SHIPMENT: On or about September 22, 1948, by the O. C. Baldwin Products Co., from Burlington, Iowa.

PRODUCT: 8 8-ounce bottles and 37 16-ounce bottles of *Baldwin Hair & Scalp Tonic* and 37 circulars entitled "A New Science in Trichology" and 18 display cards entitled "Baldwin Hair and Scalp Tonic" at Quincy, Ill.

Examination showed that the product consisted essentially of isopropyl alcohol, 78 percent, and boric acid and menthol, and green coloring matter such as chlorophyll.

LABEL, IN PART: "Baldwin Antiseptic Hair and Scalp Tonic * * * Contains 64% Alcohol by Vol. (not Ethyl)."

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements in the labeling were false and misleading since the product was not a hair tonic and was not effective for the purposes represented and suggested: (Bottle label) "Hair and Scalp Tonic" and (circular and display card) "Hair and Scalp Tonic * * * Promotes the growth of new hair * * * discourages seborrhea—(dandruff), and falling hair. Tightens up and promotes the growth of already existing hair, restores natural color in most instances"; Section 502 (b) (2), the product was a drug in package form and failed to bear a label containing an accurate statement of the quantity of the contents; and, Section 502 (e), the label failed to reveal the kind and amount of alcohol present.

DISPOSITION: June 6, 1949. Default decree of condemnation and destruction.

2888. Misbranding of Jack Eldredge Foot Roller and Jack Eldredge Shock Absorber. U. S. v. 35 Devices, etc. (F. D. C. No. 26604. Sample Nos. 41695-K, 41697-K.)

LABEL FILED: February 17, 1949, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about February 12, April 28, May 15, and June 6, 1948, by the Jack Eldredge Health Foundation, from Cleveland, Ohio.

PRODUCT: 35 devices known as *Jack Eldredge Foot Roller*, 14 cartons each containing a circular entitled "Something to Think About," and a device known as *Jack Eldredge Shock Absorber* at Milwaukee, Wis., together with 59 additional circulars of the above title. The *Jack Eldredge Foot Roller* consisted of a corrugated wooden roller; the *Jack Eldredge Shock Absorber* consisted of a rubber and leather shoe insole, equipped with pockets, together with assorted sizes of sponge rubber inserts.

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements in the labeling were false and misleading since the devices were not effective in the treatment of the conditions stated and implied: (Statements in circular relating to *Jack Eldredge Foot Roller*) "Something to think about" * * * The following brief and simple instructions will improve the circulation of the blood, which in turn tones up the muscles, removes irritation, and aids the blood stream to feed the muscles and strengthen the 26 bones in each foot * * * feeling caused by blood circulating through congested tissues * * * Arch builder * * * Bunions," (statements on carton relating to *Jack Eldredge Shock Absorber*) "Shock Absorber * * * relief from sore * * * aching feet * * * promotes circulation," (circular) "Stop saying my feet are killing me * * * Shock Absorbers * * * relief from sore * * * aching feet, fallen arches, bunions, calluses, all foot and leg pains, or any kind of foot trouble, through my method of mechanical foot correction * * * Promotes circulation * * * with body twisted and joints all bent. Bunions, hammer toes and corns on feet * * * changing to a more natural postural position * * * promotes proper and better functional activity * * * circulation is to be stimulated * * * foot condition improved * * * we have reports from many of our users that pains in the back, knees, hips, cramps in the legs and even their posture, has