

2904. Adulteration and misbranding of bandages. U. S. v. 54 Packages * * *
(F. D. C. No. 27463. Sample No. 60814-K.)

LIBEL FILED: July 11, 1949, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about April 27 and May 16, 1949, by Surgical Dressings, Inc., from Boston, Mass.

PRODUCT: 54 packages of *bandages* at St. Louis, Mo.

LABEL, IN PART: "Sterilastic First Aid Bandage."

NATURE OF CHARGE: Adulteration, Section 501 (c), the purity or quality of the article fell below that which it purported or was represented to possess.

Misbranding, Section 502 (a), the label statements "Sterilastic * * * may be used in an emergency" were false and misleading as applied to an article which was not sterile but which was contaminated with living micro-organisms.

DISPOSITION: August 15, 1949. Default decree of condemnation and destruction.

2905. Adulteration and misbranding of adhesive bandages. U. S. v. 2,800 Packages * * *
(F. D. C. No. 27394. Sample No. 51778-K.)

LIBEL FILED: June 3, 1949, Southern District of Ohio.

ALLEGED SHIPMENT: On or about April 25, 1949, by the Hampton Mfg. Co., from Carlstadt, N. J.

PRODUCT: 2,800 packages of *adhesive bandages* at Cincinnati, Ohio.

LABEL, IN PART: "Blue Cross * * * Sterilized 6 Adhesive Bandages."

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be "Adhesive Absorbent Gauze [or "Adhesive Absorbent Compress"]," a drug the name of which is recognized in the United States Pharmacopoeia, an official compendium, and 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" was false and misleading.

DISPOSITION: September 2, 1949. Default decree of condemnation and destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS*

2906. Misbranding of Polson Formula AR-No. 1 and JM3 Sulphur Solution. U. S. v. 183 Bottles, etc. (F. D. C. No. 27007. Sample Nos. 41915-K, 41916-K.)

LIBEL FILED: April 29, 1949, Northern District of Illinois.

ALLEGED SHIPMENT: On or about December 30, 1948, and March 7, 1949, from Los Angeles, Calif., and Long Beach, N. Y.

PRODUCT: 183 bottles of *Polson Formula AR-No. 1* and 65 bottles of *JM3 Sulphur Solution* at Chicago, Ill., together with a number of circulars entitled "Relief from Aches and Pains." The circulars were printed locally on in-

* See also Nos. 2895, 2900, 2903-2905.

structions of Polson's Health Food Store at Chicago, Ill., and were on display in the store with the products.

LABEL, IN PART: "Polson Formula AR-No. 1. Net Contents: 300 Tablets Six Tablets Contain: Vitamin C (Ascorbic Acid) 1200 U. S. P. Units Vitamin D (from Activated Ergosterol) 800 U. S. P. Units," and "JM3 Sulphur Solution Active Ingredients Potassium Polysulphide 3.25% Potassium Thiosulphate 1.50% Sodium Polysulphide 3.25% Sodium Thiosulphate 1.50% Inert Ingredients 90.50% Contents 8 Fl. Oz."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circulars were false and misleading since they represented and suggested that the articles were an adequate and effective treatment for rheumatism, arthritis, neuritis, and sciatica, and that they were effective in the relief of pain from such conditions and diseases, whereas the articles were not an adequate and effective treatment for, and were not effective in the relief of pain from, such conditions and diseases. The articles were misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: August 25, 1949. Polson's Health Foods, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the products were ordered released under bond for the purpose of relabeling the *Polson Formula AR-No. 1* and destroying the *JM3 Sulphur Solution* and the circulars, under the supervision of the Federal Security Agency.

2907. Misbranding of Kloronol. U. S. v. 27 Bottles * * * (F. D. C. No. 27798. Sample No. 46308-K.)

LABEL FILED: September 1, 1949, Southern District of Illinois.

ALLEGED SHIPMENT: On or about June 30, 1949, by the Sumlar Co., from Brooklyn, N. Y.

PRODUCT: 27 1-ounce bottles of *Kloronol* at Peoria, Ill.

LABEL, IN PART: "Kloronol * * * Contains: * * * ephedrine sulfate, epinephrine hydrochloride, potassium bicarbonate, borax, thymol, eucalyptol, and methyl salicylate."

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements in labeling accompanying the article were false and misleading since they represented and suggested that the article was an adequate and effective treatment for sinusitis, catarrh, hay fever, sinus headaches, and earaches, whereas the article was not an adequate and effective treatment for such conditions: (Letter) "We are pleased to acknowledge your order for the following which we have shipped you per invoice enclosed: 3 dozen Kloronol Sinus Remedy. We are sending you herewith also new advertising schedules," (advertising insertion order) "Please publish advertising of Kloronol Sinus Remedy * * * Kloronol Ad No. 214 'Sinus' * * * Kloronol Ad No. 215 'Hay Fever' * * * Use 'Hay Fever' mat herewith," and (advertising mat and proof sheet of an advertisement) "Hay Fever Sinus Victims Find Curb For Misery Due To Nasal Congestion * * * Relief at last from torture of sinus, catarrh, and hay fever due to nasal congestion * * * Men and women with agonizing sinus headaches, clogged nostrils, earache, hawking and sneezing misery tell of blessed relief after using it. Kloronol Costs \$3.00, but considering results, this is not expensive."