

fective in the treatment of hay fever and allergic disorders, and that the *D-E Plex Capsules* in combination with the *vitamin A capsules* were an adequate and effective treatment for arthritis, primary fibrositis, and muscular rheumatism. The articles were not effective in the treatment of the stated conditions. The articles were misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: September 30, 1949. Default decree of condemnation and destruction.

3009. Misbranding of Colusa Natural Oil Capsules and Colusa Natural Oil. U. S. v. 4 Bottles, etc. (F. D. C. No. 25160. Sample Nos. 22948-K, 22949-K.)

LIBEL FILED: July 9, 1948, Northern District of Alabama.

ALLEGED SHIPMENT: On or about July 6, 1948, by the Colusa Remedy Co., from Los Angeles, Calif.

PRODUCT: 4 100-capsule bottles of *Colusa Natural Oil Capsules* and 13 2-ounce bottles of *Colusa Natural Oil* at Birmingham, Ala. Analysis indicated that the oil consisted of unrefined petroleum oil.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the articles were false and misleading since they represented and suggested that the articles, alone or in combination, were effective in the treatment of psoriasis, eczema, poison ivy, poison oak, acne, and leg ulcers, whereas the articles were not effective for such purposes.

DISPOSITION: September 13, 1948. Default decree of condemnation and destruction.

3010. Misbranding of Nue-Ovo. U. S. v. 34 Cartons * * *. (F. D. C. No. 27182. Sample No. 50439-K.)

LIBEL FILED: May 11, 1949, District of Idaho.

ALLEGED SHIPMENT: On or about March 14, 1949, by Research Laboratories, Inc., from Portland, Oreg.

PRODUCT: 34 cartons, each containing 3 1-pint bottles, of *Nue-Ovo* at Caldwell, Idaho.

LABEL, IN PART: (Bottle) "Nue-Ovo * * * Ingredients: An aqueous extraction of Plume Thistle, Burdock, Quassia, Sage, Cinnamon, Horehound, Ginseng, Calamus, Dandelion, Althea, Kola Nut, Sodium Salicylate, Cascara, Licorice, Vitamin B₁"; (shipping case) "Nue-Ovo for Rheumatism and Arthritis."

NATURE OF CHARGE: Misbranding, Section 502 (a), the statement "Nue-Ovo for Rheumatism and Arthritis," which appeared on the shipping case label, was false and misleading since the article was not effective in the treatment of rheumatism and arthritis.

DISPOSITION: June 13, 1949. Default decree of forfeiture and destruction.

3011. Misbranding of Kimko. U. S. v. 90 Bottles, etc. (F. D. C. No. 27772. Sample Nos. 62055-K, 62056-K.)

LIBEL FILED: August 18, 1949, Eastern District of Arkansas.

ALLEGED SHIPMENT: On or about May 3, 1949, by the Kimko Co., from Denver, Colo.

PRODUCT: 90 12-ounce bottles and 450 6-ounce bottles of *Kimko* at Paragould, Ark., together with a number of leaflets and booklets entitled "What Users

Of Kimko Have Found Out," a number of leaflets and counter display cards entitled "For Aches and Pains," and a number of small cards entitled "For That Nagging Back-Ache." Examination showed that the product consisted of isopropyl alcohol, water, camphor, and material extracted from gall.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the accompanying labeling of the article were false and misleading since the article would not be adequate and effective in the treatment of the conditions represented and suggested. The statements represented and suggested that the article was an adequate and an effective treatment for spains, bruises, backache, sore, painful, swollen, or weak joints, bronchitis, arthritis, varicose veins, headache, rheumatism, leg cramps, puncture wounds, bee stings, tonsillitis, sore throat, indigestion, numb fingers, enlarged glands, wheezing respiration, paralysis following a stroke, head colds, abdominal pain, toothache, pleurisy, stiffness and pain in the neck, tumors of the extremities, earache, skin rashes, and swollen limbs.

Further misbranding, Section 502 (a), the statements on the bottle label "Active Ingredients Alcohol * * * Alcohol 53¾ percent by Vol." were false and misleading since the article did not contain ethyl alcohol but contained isopropyl alcohol.

DISPOSITION: October 27, 1949. The Kimko Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, and for destruction of the original bottle labels, and the leaflets, booklets, counter cards, and small cards, under the supervision of the Federal Security Agency.

3012. Misbranding of D-O-D. U. S. v. 7 Cans, etc. (F. D. C. No. 27832. Sample No. 51885-K.)

LIBEL FILED: September 9, 1949, Southern District of Ohio; amended libel filed October 10, 1949.

ALLEGED SHIPMENT: On or about May 20, 1949, by the C. Nelson Smith Co., from West Allis, Wis.

PRODUCT: 7 4½-ounce cans and 1 1-pound can of *D-O-D* at Columbus, Ohio, together with a number of pamphlets entitled "*D-O-D* The Human Cleanser" received by the consignee from the company sometime in 1948. Examination showed that the product consisted of sodium bicarbonate and potassium permanganate, with small proportions of magnesium sulfate and charcoal.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the pamphlets were false and misleading since the article was not effective in the treatment of the conditions, or for the purposes, stated and implied. The statements represented and suggested that the article was effective in the treatment of gangrene, diabetic gangrene, diarrhea, fistula, kidney and bladder trouble, tuberculosis of the kidney, eczema, running sores, shingles, hives, rashes, barber's itch, asthma, influenza, bronchitis, catarrh, colds, sore throat, hay fever, grippe, foot troubles, poisonous bites, flesh infection, blood poisoning, carbuncles, boils, stomach trouble, dyspepsia, dysentery, ptomaine poisoning, pyorrhea, diabetes, and stomach ulcers; that the article would rid the system of injurious substances; that it would prevent the entrance of infections through the mouth; and that when used as a douche it would maintain good health of womanhood.

DISPOSITION: December 1, 1949. Default decree of destruction.