

Kordel-A capsules. Treatment or prevention of certain infections, sinus trouble, poor complexion, poor vision, sensitiveness to glare, night blindness, red and swollen lids, squinting, and dryness of eyes; and

Minerals Plus Chlorophyll and Vitamin D tablets. Treatment or prevention of tumors, cysts, growths of various kinds, female troubles, and arthritis; keeping the brain in a healthier condition; maintaining health of the reproductive system; lengthening life; and prolonging youthful vitality.

Further misbranding, Section 502 (f) (1), the labeling of the articles, with the exception of the *fenugreek tea*, failed to bear adequate directions for use since the labeling failed to state any diseases or conditions for which the articles were to be used or taken.

The libel alleged also that another article, namely, Aminex amino acid tablets, was misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: Lelord Kordel appeared as claimant in the Ohio seizure and filed exceptions seeking dismissal of the libel against *fenugreek tea* and the Aminex amino acid tablets. A motion for discovery was filed subsequently by the claimant and was granted by the court in reference to the advertising, lectures, and records which the Government intended to rely upon in proving the conditions for which the *fenugreek tea* was intended to be used.

Lelord Kordel appeared also as claimant in the California seizure and filed exceptions to the libel, which were overruled on December 2, 1947. Subsequently, a motion to amend the libel was filed and granted. On March 1, 1948, pursuant to stipulation between the parties, the California seizure was transferred to the Southern District of Ohio and consolidated for trial with the Ohio seizure.

Thereafter, on February 18, 1952, upon stipulation between the parties that the cases presented no question for adjudication for the reason that all of the products under seizure had deteriorated and had become unmarketable, and with the consent of the parties and without any finding on any issue of fact or law, the court ordered that the products be destroyed.

3650. Adulteration and misbranding of Hexachlorophene-Special ointment and Hex-O-Phene ointment. U. S. v. 3 Drums, etc. (F. D. C. No. 31712. Sample No. 20822-L.)

LIBEL FILED: September 17, 1951, Northern District of Alabama.

ALLEGED SHIPMENT: On or about March 26, 1951, by W. F. Zimmerman, Inc., from Newark, N. J.

PRODUCT: 2 unopened drums, 1 partially filled drum, and 3¼ gross jars of ointment at Birmingham, Ala., in possession of the Wright Pharamacal Co., together with a number of circulars entitled "New Wonder Drug Discovered." The product contained in the drums had been invoiced *Hexachlorophene-Special ointment*, and that portion which was contained in the jars had been repackaged from one of the drums and labeled *Hex-O-Phene ointment*.

Analysis of the product showed that it contained not more than 1.06 percent of hexachlorophene.

RESULTS OF INVESTIGATION: The jars had been packed from one of the drums and labeled by the consignee. The circulars were being enclosed in packages with the jars, which were shipped to retailers.

LABEL, IN PART: (Drum) "To Wright Pharmacal Co. * * * Birmingham, Ala."; (jar) "Hex-O-Phene Ointment Contains: Hexachlorophene 2% in Zinc Oxide and Lanolin base."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess, namely, 2% hexachlorophene.

Misbranding, Section 502 (e), the article was a drug fabricated from two or more ingredients, and its label failed to bear the common or usual name of each active ingredient; and, Section 502 (f) (1), its labeling failed to bear adequate directions for use. The article was misbranded in the above respects when introduced into and while in interstate commerce. Further misbranding, Section 502 (a), certain statements on the jar label and in the circular entitled "New Wonder Drug Discovered" were false and misleading. These statements represented and suggested that the article was an adequate and effective treatment for burns, sores, impetigo, eczema, facial blemishes, and acne; that it would insure one freedom from infections; that it would keep skin germfree; that it would clear up a host of skin infections which have refused to yield to any previous treatments; and that it would keep one germfree and surgically clean. The article was not an adequate and effective treatment for such conditions, and it would not fulfill the promises of benefit made for it. The article was misbranded in the latter respects while held for sale after shipment in interstate commerce.

DISPOSITION: January 7, 1952. Default decree of condemnation. The court ordered that the product be delivered to a hospital or charitable institution.

3651. Misbranding of Rattlesnake Bill's Liniment. U. S. v. 129 Bottles * * * (F. D. C. No. 31985. Sample No. 25709-L.)

LABEL FILED: November 1, 1951, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about October 23, 1951, by the Frank Medicine Co., from Philadelphia, Pa.

PRODUCT: 129 bottles of *Rattlesnake Bill's Liniment* at Cowtown, N. J.

LABEL, IN PART: (Bottle) "Rattlesnake Bill's Liniment * * * Contents 2 Ounces Ingredients: Methyl salicylate; snake fat; gum camphor; kerosene; oil thyme; oil sassafras, artificial; oil mustard, synthetic; oil eucalyptus."

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the product failed to bear adequate directions for use.

DISPOSITION: December 20, 1951. Default decree of condemnation and destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS*

3652. Adulteration and alleged misbranding of Estrocrine tablets. U. S. v. Woodard Laboratories, Inc., and Dean D. Murphy and John L. Sullivan. Pleas of not guilty. Tried to the court. Verdict of guilty on counts charging adulteration and not guilty on counts charging misbranding. Corporation fined \$2,500; each individual defendant fined \$250. (F. D. C. No. 30053. Sample Nos. 29794-K, 49677-K, 49693-K, 53254-K, 88164-K.)

INFORMATION FILED: May 8, 1951, Southern District of California, against Woodard Laboratories, Inc., Los Angeles, Calif., and Dean D. Murphy, president of the corporation, and John L. Sullivan, secretary and manager.

*See also Nos. 3650; veterinary preparation, 3659.