

in diabetes. The article, when used alone or in combination with *Hepavita tablets*, would not be adequate and effective for such purposes.

**DISPOSITION:** June 23, 1954. The corporation having entered a plea of guilty and the individual having entered a plea of nolo contendere, the court suspended the imposition of sentence against the corporation, fined the individual \$500, and sentenced him to 8 months in jail. The court also suspended the jail sentence against the individual and placed him on probation for 2 years.

**4437. Misbranding of Duodex capsules. U. S. v. 348 Bottles, etc. (F. D. C. No. 36535. Sample Nos. 44196-L to 44198-L, incl., 44690-L.)**

**LIBEL FILED:** April 29, 1954. District of Massachusetts.

**ALLEGED SHIPMENT:** On an unknown date, by Harris Laboratories, Inc., from Glen Cove, Long Island, N. Y.

**PRODUCT:** 348 100-capsule bottles and 1,348 50-capsule bottles of *Duodex capsules* at Boston, Mass.

**LABEL, IN PART:** (Bottle) "Duodex \* \* \* Each capsule contains approximately 0.3 grams of desiccated and partially defatted duodenal substance processed to retain the ingredients believed to relieve ulcer pains and symptoms of ulcerative colitis."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements on the label of the article and in a circular designated "Duodex The New Effective Treatment For Peptic And Duodenal Ulcer Sufferers," enclosed with the article, were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for ulcers, ulcer pains, healing the ulcer crater and restoring a normal intestinal lining, rebuilding the normal mucosal lining and smoothing over the raw eroded ulcer surface, repairing the ulcerated area, ulcerative colitis, indigestion, and gastritis. The article was not an adequate and effective treatment for such conditions and purposes.

**DISPOSITION:** July 20, 1954. Default decree of condemnation and destruction.

**4438. Misbranding of Pyl-tone pile ointment. U. S. v. 2,000 Tubes, etc. (F. D. C. No. 36453. Sample No. 86111-L.)**

**LIBEL FILED:** March 26, 1954, Northern District of Texas.

**ALLEGED SHIPMENT:** On or about March 13, 1952, from Bristol, Tenn.

**PRODUCT:** 2,000 unlabeled tubes of *Pyl-tone pile ointment* at Amarillo, Tex., in the possession of the Mergh Laboratories, together with a number of loose tube labels reading, in part, "Pyl-tone Pile Ointment" and a number of leaflets designated "The New Scientific Remedy for Piles Pyl-tone Ointment."

**RESULTS OF INVESTIGATION:** The unlabeled tubes of the product were packaged in labeled cartons when shipped from Bristol, Tenn. The above-mentioned loose labels and leaflets were printed for the Mergh Laboratories; and upon receipt of an order for the ointment, the Mergh Laboratories would apply 1 of the loose labels to a tube of ointment and enclose a copy of the above-mentioned leaflet.

**LABEL, IN PART:** (Carton) "Manufactured For: The Mergh Laboratories Amarillo, Texas Product Specification: S. F. #15,589 One Dozen - One Oz. Tubes (Unlabeled) Pyl-Tone Ointment Active Ingredients: Cedar Leaf Oil, Pokeroot, Bismuth Subgallate, Balsam Peru in a Castor Oil and White

Petroleum Base"; (loose label) "1 Oz. \* \* \* Pyl-tone Pile Ointment \* \* \* The Mergh Laboratories Distributors Box 2001—Amarillo, Texas."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in the above-mentioned leaflets accompanying the article were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for hard, unnatural growths in the rectum; conditions manifested by bleeding from the rectum; discharges from piles; and for dissolving blood clots in piles and drawing out poisonous fluids from the body. The article was not an adequate and effective treatment for such conditions and purposes. The article was misbranded while held for sale after shipment in interstate commerce.

**DISPOSITION:** June 28, 1954. The Mergh Laboratories, 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 under the supervision of the Department of Health, Education, and Welfare.

**4439. Misbranding of Bara Dermin and Bara Paraderm. U. S. v. 750 Cartoned Tubes, etc. (F. D. C. No. 36513. Sample Nos. 46085-L, 46086-L.)**

**LIBEL FILED:** April 20, 1954, District of Rhode Island.

**ALLEGED SHIPMENT:** On or about September 17 and 25, 1953, by the Bara Farmacal Corp., from New York, N. Y.

**PRODUCT:** 750 cartoned tubes of *Bara Dermin* and 762 cartoned tubes of *Bara Paraderm* at Providence, R. I.

**LABEL, IN PART:** (Carton) "Bara Dermin 1 oz. Net Wt. Antiseptic Skin Balm \* \* \* Contains: Pot. Hydroxyquinolin Sulph., Chlorocresol, Geraniol, Mineral Oil, Petrolatum, Oil-in-Water Emulsion" and "Bara Paraderm 2 Oz. Net Wt. Burn Ointment \* \* \* Contains: Lanolin, Neatsfoot Oil, Olive Oil, Phenyl Salicylate, Cetyl Alcohol, in an Emollient Base."

**NATURE OF CHARGE:** *Bara Dermin*. Misbranding, Section 502 (a), certain statements on the carton label and in the leaflet bearing the words "Dermin Antiseptic Skin Balm New Advance In Skin Therapy," which was enclosed in each carton, were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for rashes, pimples, itching, sores, boils, eczema, septic infections, and impetigo. The article was not an adequate and effective treatment for such conditions.

*Bara Paraderm*. Misbranding, Section 502 (a), certain statements on the carton label and in the leaflet bearing the words "Paraderm Instant Action Burn Ointment New Formula For Burn Therapy," enclosed in each carton of the article, were false and misleading. The statements represented and suggested that the article ensured an adequate and effective protection against X-rays and high frequency rays, such as atomic rays, and that the article constituted an adequate and effective treatment for burns. The article was not an adequate and effective protection against X-rays and high frequency rays, such as atomic rays, and was not an adequate and effective treatment for burns.

**DISPOSITION:** May 14, 1954. Default decree of condemnation and destruction.

**4440. Misbranding of Ridd medicated powder. U. S. v. 9 Cases \* \* \*. (F. D. C. No. 36727. Sample No. 67404-L.)**

**LIBEL FILED:** May 3, 1954, Northern District of Texas.