

RESULTS OF INVESTIGATION: The *H-17* was represented by the shipper to contain alcoholic extract of *Radix gelsemii*, *Radix ononidis*, *Salix alba*, *Passiflora*, *Hydrastis*, formic acid, *Nerium* 0.00003 mgm., *Cannabis sativa* 0.00003 mgm., sodium gold chlorate 0.00003 mgm., and ergot 0.00003 mgm.

The vials of *physiological salt solution** were closed by a rubber stopper which could be readily penetrated by the ordinary hypodermic needle; thus, the contents of the vial could be withdrawn without removal or destruction of the closure. Such vials are classed as multiple dose containers under the definition set forth in the United States Pharmacopeia. Since the vials contained 50 cc. and the Pharmacopeia requires that no multiple dose container shall contain "a volume * * * more than sufficient to permit the withdrawal of 30 cc.," the article was not packaged in conformity with the pharmacopeial requirement.

LIBELED: 9-2-55, E. Dist. Pa.

CHARGE: 502 (b) (1) and (2)—when shipped, both articles failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of contents; 502 (e) (2)—the label of the *H-17* failed to bear the common or usual name of each active ingredient; 502 (g)—the *physiological salt solution* purported to be a drug, the name of which is recognized in the United States Pharmacopeia, an official compendium, and it was not packaged as prescribed therein; and 505 (a)—the *H-17* was a new drug which could not lawfully be introduced into interstate commerce since an application filed pursuant to law was not effective with respect to the drug.

DISPOSITION: 10-20-55. Default—destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FAILURE TO BEAR ADEQUATE DIRECTIONS OR WARNING STATEMENTS*

4924. Nutrilite food supplement. (F. D. C. No. 37268. S. No. 89-515 L.)

INFORMATION FILED: 7-27-55, W. Dist. Wis., against Reuben L. Oschman, Platteville, Wis.

ALLEGED VIOLATION: On 8-5-54, the defendant, in the course of a sales talk to an individual, made oral representations that the article was an effective treatment for the diseases, symptoms, and conditions set forth below, which act resulted in the article being misbranded while held for sale.

LABEL IN PART: (Pkg.) "Nutrilite (R) XX Food Supplement This package contains multiple vitamin capsules and mineral tablets for use as a dietary food supplement to fortify, or supplement, the diet."

CHARGE: 502 (f) (1)—the labeling of the article failed to bear adequate directions for use in the treatment of the diseases, symptoms, and conditions for which the article was intended, namely, nervousness, rundown condition, arthritis, sinus trouble, asthma, high blood pressure, low blood pressure, heart trouble, back trouble, prostate gland trouble, headaches, rupture, lack of muscle tone, fatigue, diabetes, piles, stomach ulcers, and hardening of arteries.

PLEA: Guilty.

DISPOSITION: 9-23-55. \$100 fine and probation for 1 year.

*See also No. 4921.