

Analyses of samples of the article showed that it consisted essentially of acetanilid (0.94 grain per tablet), caffeine, aloin, atropine sulfate, and capsicum.

The article was alleged to be misbranded: (1) In that its labeling failed to bear such adequate warnings as are necessary for the protection of users, against use in those pathological conditions or by children, where its use might be dangerous to health, since it might be dangerous to health when used by persons suffering from nausea, vomiting, abdominal pain, or other symptoms of appendicitis, or by children; and in that the labeling failed to bear adequate warnings against unsafe dosage or methods or duration of administration in such manner and form as are necessary for the protection of users, since frequent or continued use of this acetanilid-containing preparation might cause serious blood disturbances, anemia, or collapse, and since its use might result in dependence on a laxative. (2) In that the statements on the label, "Cold and Grippe Tablets Excellent for a feverish condition, coryza, hay fever, rhinitis, grippe, aching muscles, colds, influenza * * * acetanilid 2 gr." were false and misleading since it was not an adequate treatment for the conditions named and since each tablet did not contain 2 grains of acetanilid. (3) In that its package container was so filled as to be misleading since the bottle was materially shorter than the package [carton].

On September 29, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

554. Misbranding of "Doctor's Daughter" Tablets (and Dr. Wilbur's Laxative Tablets). U. S. v. 5½ Dozen Packages of "Doctor's Daughter" Tablets. Default decree of condemnation and destruction. (F. D. C. No. 4779. Sample No. 56820-E.)

Each package of this product contained 50 white tablets wrapped in wax paper and an envelope labeled "Dr. Wilbur's Laxative Tablets," which contained 25 pink tablets. The labeling, in addition to failure to bear adequate warning statements, also failed to bear the required ingredient and quantity of contents statements.

On May 16, 1941, the United States attorney for the Southern District of New York filed a libel against 5½ dozen packages of "Doctor's Daughter" Tablets at New York, N. Y., alleging that the article had been shipped by Dr. John Wilbur Daughter Co. from Westerly, R. I., on or about April 16, 1941; and charging that it was misbranded.

Analyses of samples showed that the white tablets consisted essentially of calcium carbonate, sodium carbonate, and sodium bicarbonate; and that the pink tablets consisted essentially of belladonna alkaloids including atropine, and laxative plant drugs.

The article was alleged to be misbranded: (1) In that the labeling failed to bear adequate warnings against use in those pathological conditions or by children where its use might be dangerous to health, or against unsafe dosage or methods or duration of administration or application, in such manner and form, as are necessary for the protection of users, since the labeling did not warn that frequent or continued use might result in dependence upon laxatives and that the article should not be taken when suffering from nausea, vomiting, abdominal pain, or other symptoms of appendicitis. (2) In that the carton label did not bear the common or usual names of the active ingredients nor a statement of the quantity or proportion of belladonna alkaloids contained in the laxative tablets. (3) In that the envelope containing the laxative tablets did not bear a statement of the quantity or proportion of belladonna alkaloids nor did it bear the common or usual names of all the active ingredients, since "Exl" and "phodophyllui" did not inform that extract and podophyllum were meant. (4) In that the carton label did not bear an accurate statement of the quantity of contents, since no reference was made to the envelope containing the 25 laxative tablets.

On July 3, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

555. Misbranding of Starr's Wonderful M. L. & K. Pills. U. S. v. 8 Dozen Packages of Starr's Wonderful M. L. & K. Pills. Default decree of condemnation and destruction. (F. D. C. No. 4877. Sample No. 31996-E.)

The label of this product, in addition to failure to bear adequate directions for use and warning statements, also failed to bear the required ingredient and quantity of contents statements. Furthermore, the label bore false and misleading therapeutic claims.

On June 10, 1941, the United States attorney for the Northern District of Illinois filed a libel against the above-named product at Chicago, Ill., alleging