

ingredients, and its label did not bear the common or usual name of each active ingredient.

On February 21, 1942, pleas of guilty were entered and the court imposed a fine of \$10 on each of the defendants.

683. Misbranding of Life Line Tonic. U. S. v. John B. Kori (United States Remedy Co.). Plea of *nolo contendere*. Fine of \$100, and sentence of 6 months' imprisonment. Sentence suspended and defendant placed on probation for 1 year. (F. D. C. No. 5474. Sample No. 40426-E.)

The labeling of this product bore false and misleading claims regarding its therapeutic efficacy and its ingredients. It also failed to declare the kind and proportion of alcohol that it contained.

On September 15, 1941, the United States attorney for the Southern District of Florida filed an information against John B. Kori, trading as United States Remedy Co., Jacksonville, Fla., alleging shipment on or about October 17, 1940, from the State of Florida into the State of Pennsylvania of a quantity of Life Line Tonic which was misbranded.

Analysis showed that the article consisted of a water-glycerin solution containing large amounts of Epsom salt, smaller amounts of sodium sulfate and sodium phosphate and small amounts of quinine, iron, caffeine, saccharin and plant extractives including emodin.

The article was alleged to be misbranded: (1) "In that statements in the labeling which represented that it would be efficacious in the treatment of sour stomach, biliousness, colic, cramps due to gas, and temporary listlessness; that it would be beneficial in malarial and feverish conditions due to chills and colds; would check chills and malarial fever; would build resistance; would be efficacious in the treatment of colds, stuffiness of nasal passages, simple headache, neuralgia, and malarial fever; that it would be efficacious to keep the system clean and invigorated; and would be efficacious in the treatment of simple headache due to occasional constipation and neuralgia; that the distress and misery of common colds would generally be relieved within a few hours by it; that it would not be habit-forming; that it was a tonic and possessed value as a treatment in emergencies, as suggested by the name "Life-Line," were false and misleading since it would not be efficacious for such purposes, and might be habit-forming, i. e., might form the laxative habit. (2) In that it was fabricated from two or more ingredients and its label did not bear the common or usual name of each active ingredient, including the quantity, kind, and proportion of alcohol that it contained, since the common or usual name of each active ingredient and the quantity, kind, and proportion of alcohol did not appear on the outside container, namely, the carton. (3) In that the statement, "Active Ingredients—Ext. of Leaves and Flowering tops of Eupatorium Perfoliatum (Boneset), Extract Sacred tree bark (Rhamnus Purshiana) Sodium Phosphate, Sodium Sulphate, Iron & Ammonium Citrate, May Apple (Mandrake), Magnesium Sulphate (Epsom Salts), Citrated Caffein, Citric Acid, Quinine Sulphate, other ingredients," represented and suggested that it contained each of said ingredients and substances in amounts sufficient to be of therapeutic importance; whereas it did not contain boneset, iron and ammonium citrate, and citric acid in amounts which were therapeutically important.

On January 5, 1942, the defendant having entered a plea of *nolo contendere*, the court imposed a fine of \$100 and a sentence of 6 months' imprisonment. The jail sentence was suspended and the defendant was placed on probation for 1 year.

684. Misbranding of Venus Tablets. U. S. v. David Clarence Overpeck (Thoro Sales Service). Plea of *nolo contendere*. Fine, \$50. (F. D. C. No. 5543. Sample Nos. 30305-E, 31965-E.)

The label of this product bore false and misleading claims regarding its efficacy in the control of weight, and the bottle occupied only approximately 55 percent of the capacity of the carton.

On February 26, 1942, the United States attorney for the Southern District of California filed an information against David Clarence Overpeck, trading as Thoro Sales Service at Los Angeles, Calif., alleging shipment on or about May 6 and September 22, 1940, from the State of California into the State of Illinois of quantities of Venus Tablets that were misbranded.

Analyses of samples of the article showed that it was essentially a vegetable laxative containing rhubarb root, kelp, and other vegetable tissues.

The article was alleged to be misbranded: (1) In that the designation "Venus Tablets" on the bottle label and carton, the design of a slender woman, and