

3071. Adulteration of Kal-Estrin. U. S. v. Medi-Synth Laboratories, Inc. Plea of guilty. Fine, \$750. (F. D. C. No. 28176. Sample No. 40578-K.)

INFORMATION FILED: December 12, 1949, Southern District of California, against Medi-Synth Laboratories, Inc., Los Angeles, Calif.

ALLEGED SHIPMENT: On or about November 12, 1948, from the State of California into the State of Oregon.

NATURE OF CHARGE: Adulteration, Section 501(c), the strength of the article differed from that which it purported and was represented to possess. Each cubic centimeter of the article was represented to contain 20,000 International Units of estrogenic activity, whereas each cubic centimeter of the article contained a smaller amount of estrogenic activity.

The information alleged also that certain other products, namely, *Vitamin B complex tablets, Eight Essential Vitamins Capsules, Calcium Ration Tablets, and V. M. S. Tablets* were adulterated under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: January 30, 1950. A plea of guilty having been entered, the court imposed a fine of \$750.

3072. Adulteration and misbranding of prophylactics. U. S. v. 11 Gross * * * (and 1 other seizure action). (F. D. C. Nos. 28425, 28612. Sample Nos. 52359-K, 52364-K.)

LIBELS FILED: December 6 and 29, 1949, Middle District of Tennessee.

ALLEGED SHIPMENT: On or about November 16 and December 7, 1949, by the Klingfast Sales Co., from Atlanta, Ga.

PRODUCT: 29 gross of *prophylactics* at Nashville, Tenn. Examination of samples from each shipment of the product showed that 7.4 percent in one shipment and 8.3 percent in the other shipment were defective in that they contained holes.

LABEL, IN PART: "Klintab Caps."

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the article fell below that which it purported and was represented to possess.

Misbranding, Section 502 (a), the statement "Air and Water Tested," borne on the label of a portion of the article, was false and misleading as applied to an article containing holes.

DISPOSITION: March 14 and 15, 1950. Default decrees of destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE*

3073. Misbranding of Garlex (garlic extract). U. S. v. 63 Bottles, etc. (F. D. C. No. 28684. Sample No. 54414-K.)

LIBEL FILED: January 11, 1950, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about November 23, 1949, by Crazy Water Co., Inc., from Mineral Wells, Tex.

PRODUCT: 63 8-ounce bottles, 135 16-ounce bottles, and 66 32-ounce bottles of *Garlex* (garlic extract), at New Orleans, La.

*See also Nos. 3062, 3072.

LABEL, IN PART: "Roberts Garlex * * * Compounded From Fresh Garlic Bulbs, U. S. Pure Glycerine and Mineral Wells Mineral Water Added * * * For Internal Use One Ounce * * * Shortly Before Meals Children— $\frac{1}{3}$ to $\frac{1}{2}$ the adult dosage * * * Texas Liquid Garlic Company."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the label of the article were false and misleading since they represented and suggested that the article was an adequate and effective treatment for gastrointestinal symptoms accompanying arteriosclerosis and hypertension by inhibiting intestinal putrefaction and the formation of toxic products, and that it was an effective treatment for acute, subacute, and chronic diarrhea, enterocolitis, dysentery, digestive insufficiency, gastrointestinal dyspepsia, anorexia, excessive intestinal fermentation, meteorism, flatulence, intestinal colic, and subjective symptoms in arteriosclerosis, due to gastrointestinal disturbances. The article was not an adequate and effective treatment for such conditions.

DISPOSITION: February 23, 1950. Crazy Water Co., Inc., 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 Federal Security Agency.

✓ **3074. Misbranding of Slim-O. U. S. v. 40 Bottles, etc. (F. D. C. No. 28484. Sample No. 67626-K.)**

LIBEL FILED: December 27, 1949, District of Colorado.

ALLEGED SHIPMENT: On or about November 5 and 6, 1949, by Beauty Sales, from Hollywood, Calif.

PRODUCT: 40 6-ounce bottles of *Slim-O* at Denver, Colo., together with a number of leaflets entitled "Beauty Sales" and a number of newspaper mats entitled "Lose Excess Fat." Examination showed that the product consisted essentially of epsom salt, sodium carbonate, and citric acid.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements and a picture of a slender female appearing on the label of the article and in the leaflet and newspaper mats were false and misleading. The statements and picture represented and suggested that the article was the easiest, safest way to a beautiful, glamorous trim line figure; that the article would help one to take off inches of excess fat in the right spots, leaving the skin firm; that it would help one to lose excess fat and maintain a beautiful figure at all times; that it was effective for use on all parts of the chin, neck, and body; that with the aid of the article one could take off excess fat in the exact spots desired; that the article would dissolve and remove the excess fat from the skin tissues; that it would leave the skin firm and wrinkle-free; that there would be no risk of sagging tissues and wrinkles with use of the article; and that the article was a reducing aid. The article was not effective for the purposes stated and implied.

DISPOSITION: February 15, 1950. Default decree of condemnation and destruction.

3075. Misbranding of rectal suppositories. U. S. v. 36 Boxes * * *. (F. D. C. No. 28567. Sample Nos. 55881-K, 55882-K.)

LIBEL FILED: On or about December 22, 1949, Western District of Missouri.

ALLEGED SHIPMENT: On or about May 20 and September 24, 1949, by the S. E. Massengill Co., from Bristol, Tenn.-Va.