

to bear adequate directions for use for the purposes, conditions, and diseases for which they were intended, namely, (*aloe leaves*) as an adequate and effective treatment for X-ray burns, cancer, ulcers, piles, hemorrhoids, fistulas, and ivy poisoning, and (*Papaya Rica*) as an adequate and effective treatment for adding years to one's life, building up the heart, and for sleeping sickness, which were the purposes, conditions, and diseases for which the articles were held out orally by the defendant.

PLEA: Not guilty.

DISPOSITION: The case came on for trial before the court and jury on 9-21-59, and was concluded on the same day with the return of a verdict of guilty. On 10-2-59, the defendant was sentenced to 2 years in prison.

5870. Vince Dentifrice. (F.D.C. No. 42519. S. No. 32-525 P.)

QUANTITY: 252 2-oz. cartoned btls. and 120 5-oz. cartoned btls. at New York, N.Y.

SHIPPED: 10-6-58, from Morris Plains, N.J., by Standard Laboratories, Inc.

LABEL IN PART: (Ctn.) "Vince For Both Teeth and Gums * * * Contains Sodium Borate Perhydrate, Calcium Phosphate Tribasic, Magnesium Trisilicate and Calcium Carbonate neutrally buffered with Sodium Aluminum Sulfate * * * Distributed by Standard Laboratories, Inc., Morris Plains, N.J. 46563," (btl.) "Vince Oxygenating Dentifrice * * * 110082 Distributed by Standard Laboratories, Inc., Morris Plains, N.J.," and (ctn. insert) "How the new, improved Vince keeps your mouth."

LIBELED: 12-12-58, S. Dist. N.Y.

CHARGE: 502(a)—when shipped, the labeling of the article contained false and misleading representations that the article was an adequate and effective treatment for sore and bleeding gums, and for preventing trench mouth; 502(e)(2)—the article was a drug fabricated from two or more ingredients, and its label failed to list the active ingredient by its common or usual name, sodium perborate; and 502(f)(2)—the labeling of the article failed to warn that its use may cause irritation and inflammation of the gums, tongue, and mucous membranes of the mouth, and that use of the article should be discontinued at first sign of irritation or soreness, and that one should avoid swallowing the article.

DISPOSITION: 9-23-59. Default—destruction.

5871. Anterior pituitary and orchic solution. (F.D.C. No. 43115. S. No. 33-289 P.)

QUANTITY: 50 cartoned vials at Brooklyn, N.Y.

SHIPPED: 11-10-58, from Philadelphia, Pa., by Vitamix Corp.

LABEL IN PART: (Vial and ctn.) "Vitamix 30 cc. Multiple Dose Vial Orchic Anterior Pituitary Liquid * * * For intramuscular Use Only * * * Each 2 cc. contains the water soluble extraction of dried glands derived from: Orchic Substance, fresh gland . . .10 gm. (155 grs.) Anterior Pituitary, Fresh gland . . .1.12 gm. (18½ grs.) With Chlorobutanol (Chloral derivative) . . .0.5% Contains no known hormonal therapeutic activity. Indications: Non-Specific Protein Therapy.

LIBELED: 5-5-59, E. Dist. N.Y.

CHARGE: 502(a)—when shipped, the label statement "Indications: Non-Specific Protein Therapy" was false and misleading as applied to an article

which is of no value in protein therapy; and 502(f) (1)—the labeling of the article failed to contain adequate directions for use since the article was worthless for any therapeutic purpose and no adequate directions for its use could be written.

DISPOSITION: 5-28-59. Default—destruction.

5872. Anterior pituitary solution. (F.D.C. No. 43114. S. No. 53-037 P.)

QUANTITY: 16 ctns., each containing 10 cartoned vials, at Huntington Park, Calif.

SHIPPED: 1-26-59, from Philadelphia, Pa., by Vitamix Corp.

LABEL IN PART: (Vial and ctn.) "30 cc. Multiple Dose Vial Anterior Pituitary Solution Sterile-Intramuscular Only * * * Manufactured in Phila. for Daylin Drugs, Inc., Distributors, Huntington Park, Calif. Each cc. Contains the water soluble extraction of dried glands derived from: Anterior Pituitary, fresh gland . . . 18½ grains Chlorobutanol (Chloral deriv.) . . . 0.5% Contains no known hormonal therapeutic activity Indications: Non-Specific Protein Therapy. Usual Dose: * * * Caution."

LIBELED: 4-16-59, S. Dist. Calif.

CHARGE: 502(a)—when shipped, the label statement "Indications: Non-Specific Protein Therapy" was false and misleading as applied to an article which is of no value in protein therapy; and 502(f) (1)—the labeling of the article failed to contain adequate directions for use since the article was worthless for any therapeutic purpose and no adequate directions for its use could be written.

DISPOSITION: 5-6-59. Default—destruction.

DRUGS FOR VETERINARY USE

5873. Medicated feed. (F.D.C. No. 43670. S. Nos. 47-553 P, 48-142 P.)

INFORMATION FILED: 12-7-59, W. Dist. N.Y., against Dean & Lee, a partnership, Horseheads, N.Y., and Harry L. Kahler, a partner.

SHIPPED: Between 9-13-58 and 2-13-59, from New York to Massachusetts.

LABEL IN PART: (Some bags) "100 Lbs. Net Pathfinder Medicated Jumbo Starter-Broiler * * * Active drug ingredients: Nicarbazin 0.0125%," and other bags were unlabeled.

CHARGE: (Labeled bags) 501(d) (2)—a product containing acetyl-(*p*-nitrophenyl)-sulfanilamide and 3,5-dinitrobenzamide had been substituted for nicarbazin which the article was represented to be; and (unlabeled bags) 502(b)—the article failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of contents; 502(e) (2)—the article failed to bear a label containing the common or usual name of each active ingredient; 502(f) (1)—the article failed to bear labeling containing adequate directions for use; and (2) adequate warnings against unsafe dosage or methods or duration of administration or application in such manner and form as are necessary for the protection of users.

PLEA: Guilty.

DISPOSITION: 1-4-60. Partnership—\$100 fine; individual—\$100 fine which was remitted.