30204. Adulteration and misbranding of Rx 333 For Women. U. S. v. 17 Boxes of Rx 333 For Women. Default decree of condemnation and destruction. (F. & D. No. 43252. Sample Nos. 3301–D, 18111–D.)

This product was represented to contain fresh ovarian tissue. Examination showed that it did not contain the hormone estrone, the essential active principle of fresh ovarian tissue. Its labeling bore false and fraudulent claims regarding its curative and therapeutic effects and the false and misleading representation that it was a gland food.

On August 13, 1938, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 17 boxes of Rx 333 For Women at San Francisco, Calif.; alleging that the article had been shipped in interstate commerce on or about September 18, 1937, by the Foundation Laboratories, Inc., from Chicago, Ill.; and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis showed that the article consisted principally of animal protein dissolved in glycerin and alcohol. Biological examination indicated that it did not contain the hormone estrone.

The article was alleged to be adulterated in that its strength fell below the professed standard under which it was sold, namely, "Each cubic centimeter represents 15 grains fresh ovarian tissue," since it did not contain the hormone estrone which is the essential active principle of fresh ovarian tissue.

Misbranding was alleged in that the statement on the box label, "Each cubic centimeter represents 15 grains fresh ovarian tissue," was false and misleading; in that the statement on the box label "A gland food" was false and misleading since the article was not a food made of glands nor was it a food for the glands of the body; and in that the statement on the label, "Rx 333 for Women," was a statement regarding the curative and therapeutic effects of the article and was false and fraudulent.

On January 14, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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30205. Misbranding of sandalwood oil. U. S. v. 5 Bottles and 15 Pounds of Oil Sandalwood. Portion of product condemned and destroyed. Remainder released under bond for redistillation. (F. & D. Nos. 42434, 42442. Sample Nos. 14534–D, 16500–D.)

This product was labeled to indicate that it was sandalwood oil but differed from the pharmacopoeial standard for sandalwood oil, since it was not soluble in five volumes of 70-percent alcohol.

On May 19 and May 22, 1938, the United States attorneys for the District of Massachusetts and the Western District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the district courts libels praying seizure and condemnation of 5 bottles, each containing 1 pint of sandalwood oil at Boston, Mass., and 15 pounds of sandalwood oil at Pittsburgh, Pa.; alleging that the article had been shipped in interstate commerce in part on or about December 13, 1937, and in part on or about April 5, 1938, by Dodge & Olcott Co. from New York, N. Y.; and charging misbranding in violation of the Food and Drugs Act.

Misbranding was alleged in that the statement on the label, "Oil Sandalwood * * * U. S. P. XI," was false and misleading since it caused the purchaser to believe that the article was sandalwood oil, a drug recognized in the United States Pharmacopoeia; whereas it did not conform to the specifications of that authority for sandalwood oil, since it was not soluble in 5 volumes of 70 percent alcohol.

On January 11, 1939, Dodge & Olcott Co. having appeared as claimant for the lot seized at Pittsburgh, Pa., and having admitted the material allegations of the libel, judgment was entered ordering that the product be released to the claimant under bond conditioned that it be redistilled under the supervision of this Department. On January 23, 1939, no claim having been entered for the lot seized at Boston, Mass., judgment of condemnation was entered and the lot was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*