

(bottle label) "Kroup Monia * * * A Safe, * * * efficient treatment for the relief of * * * Coughs, Croup, Whooping Cough, Hoarseness and similar diseases of the Respiratory Organs."

On May 14, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

27385. Misbranding of Rx 444 for Males and Rx 333 for Females. U. S. v. 45 Packages of Rx 444 for Males and 45 Packages of Rx 333 for Females. Default decrees of condemnation and destruction. (F. & D. nos. 38759, 38760. Sample nos. 13672-C, 13673-C.)

The labeling of these products bore false and fraudulent representations regarding their curative and therapeutic effects and failed to bear a correct statement of the quantity or proportion of alcohol contained in them.

On December 11, 1936, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 45 packages of Rx 444 for Males and 45 packages of Rx 333 for Females at New Orleans, La., alleging that they had been shipped in interstate commerce on or about October 24, 1936, by Foundation Laboratories, Inc., from Chicago, Ill., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The articles were labeled in part: (Rx 444, box) "For Males"; (Rx 333, box) "For Females"; (circular entitled "Foundation Laboratories, Inc.") "Rx 333 and Rx 444 are carefully, physiologically standardized solutions of hormones especially processed by pharmaceutical chemists for use as a general glandular tonic * * * Rx 333 and Rx 444 are applied in the same manner. Clean the pores of the skin on the underside of the forearm so the solution will be more readily absorbed. Apply the contents of one of the vials on the underside of the forearm and rub gently into the skin until the solution has vanished. Make two applications the first day and follow with one a day for one week. After results are obtained, use one or more vials a week as the physical condition may require * * *."

Samples taken from both products were found to consist essentially of water, alcohol (40 percent in the Rx 444 and 34 percent in the Rx 333), small amounts of phosphates, magnesium compounds, protein, and perfume.

The articles were alleged to be misbranded in that the packages failed to bear on their labels a statement of the quantity or proportion of alcohol contained in the articles since the statement made was incorrect. They were alleged to be misbranded further in that the box labels and accompanying circulars bore false and fraudulent representations regarding the effectiveness of the Rx 444 in the treatment of inflamed, enlarged, swollen, and diseased prostate, frequent desire to urinate, backache, pains in the limbs, irritation of the bladder, nervous restlessness, pains in the pelvic region, prostatitis, nervous disturbance, feeling of depression, worry, neurasthenia, melancholia, reflex pains and disturbances, pains resembling sciatica, backache, rheumatism, disturbed digestion, diseased prostate, abnormalities resulting from diseased prostate, loss of weight, grouching, glandular unbalance, rheumatism, neuritis, arthritis, swollen legs, impotence, or any disorder arising from the improper functioning of the prostate and its effectiveness to restore the vigor of youth and normal every day health; and the effectiveness of the Rx 333 in the treatment of aches, nervousness, and worry accompanying menopause, ovarian disorders and diseases, ovarian gland distress, nerves, ovarian congestion, inflammation and enlargement, frequent desire to urinate at night, backache, blues, amenorrhea, dysmenorrhea, certain types of sterility, sexual apathy, neuroses and psychoses connected with irregular menstruation, circulatory unbalance, climacteric disorders, vomiting of pregnancy, obesity, pains and aches, ovarian abnormalities, serious conditions of a diseased or semidiseased condition of the ovarian gland, run-down condition, glandular unbalance, rheumatism, arthritis, neuritis, and that it was a glandular tonic and treatment and health help; that it was effective to preserve health, to restore the vigor of youth, the buoyancy of yesteryear and bring about normal every-day health; and effective to activate the ovarian glands and to restore the diseased organ to proper functioning.

On January 6, 1937, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*