

LABEL IN PART: (Box) "10 ¾" x 3" Blue Cross Plastic Adhesive Bandages Sterile * * * Waterproof * * * 'Mercurochrome' Pads."

LIBELED: On or about 1-24-55, Dist. N. J.

CHARGE: 501 (b)—the quality and purity of the article when shipped fell below the standard for "Adhesive Absorbent Gauze [or "Adhesive Absorbent Compress"]" set forth in the United States Pharmacopeia since the article was not sterile but was contaminated with living micro-organisms; and 502 (a)—the label statement "Sterile" was false and misleading.

DISPOSITION: 2-28-55. Default—destruction.

4734. Rubber prophylactics. (F. D. C. No. 36556. S. No. 38-399 L.)

QUANTITY: 5 gross at New York, N. Y.

SHIPPED: 11-28-49, from Japan.

RESULTS OF INVESTIGATION: Examination of 25 devices showed that 11, or 44 percent, were defective in that they contained holes.

LIBELED: 4-19-54, S. Dist. N. Y.

CHARGE: 501 (c)—the quality of the article while in interstate commerce fell below that which it purported and was represented to possess.

DISPOSITION: 8-29-55. Default—destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS*

4735. Adler's Compound. (F. D. C. No. 36646. S. No. 64-741 L.)

INDICTMENT RETURNED: 1-12-55, S. Dist. Calif., against Wayne Parkinson, t/a Glandular Products Co.; Sleep-Eze Co., Inc., t/a Tide Mailing Service; and Allen H. Parkinson, president of Sleep-Eze Co., Inc., all of Long Beach, Calif.

ALLEGED VIOLATION: The indictment alleged that the defendants, on 2-15-54, caused the introduction into interstate commerce, for delivery to Seattle, Washington, of the drug which was misbranded as described below. The indictment further alleged that Allen H. Parkinson did such act with intent to defraud and mislead.

LABEL IN PART: "Adler's [Picture of a man] Compound Standard Strength Contents 60 Tablets Distributed by Glandular Products Company Long Beach, California U. S. A. Each Tablet Contains: Potassium (Sulfate) 1.5 mg. Vitamin B-1 1.5 mg. Vitamin C 5.0 mg. Niacinamide 5.0 mg. Caffein 0.5 gr. Molybdenum (Sodium Molybdenate) 0.2 mg. Calcium Pantothenate 2.5 mg. Vitamin B-12 1.5 mcg."

ACCOMPANYING LABELING: An undated letter addressed to "Dear Sir," bearing the letterhead "Konrad Adler & Company Fachleute auf dem Gebiete der Drusenforschung Stuttgarterstrassen 18-20 Frankfurt am Main Germany Bank Reference Rhein-Main-Bank Frankfurt am Main," and signed "Konrad Adler"; a leaflet bearing the heading "Konrad Adler & Company Sole Licensors of Adler's Compound"; an "Order Form"; an air mail business reply envelope addressed to Glandular Products Company; and an envelope bearing the return address "Konrad Adler & Company Frankfurt am Main, Germany," the postmark "London, S. E. I.," and English postage stamps.

*See also Nos. 4721-4724, 4726, 4729-4731, 4733.

CHARGE: 502 (a)—the labeling of the article when shipped contained false and misleading representations that the article was an adequate and effective treatment for male sexual weakness; that it was a new and amazing medical miracle and was a new, original, and secret German formula; that the tablets comprising *Adler's Compound, Super Strength*, possessed twice the potency of the tablets comprising *Adler's Compound, Standard Strength*, when in fact they possessed the same potency; that the article was manufactured in Germany and was available in the United States in limited supply only; that Konrad Adler and Konrad Adler & Co. were doing business in Stuttgarterstrassen 18-20, Frankfurt am Main, Germany, and were maintaining advertising and sales offices at 4 Berkley Street, London, England; and that the person whose picture appeared in the aforementioned labeling was Konrad Adler, a German specialist in glandular research.

PLEA: Nolo contendere.

DISPOSITION: 10-17-55. Wayne Parkinson—placed on probation for 5 years; Sleep-Eze Co., Inc.—fined \$500; Allen H. Parkinson—fined \$500, sentenced to prison for 1 year (suspended), and placed on probation for 5 years.

4736. Vita-Glan male formula. (F. D. C. No. 35560. S. Nos. 2-675 L, 2-743 L.)

INFORMATION FILED: 10-15-53, S. Dist. Calif., against Wayne Parkinson, t/a Glandular Products Co., and as Dybutol Co., Long Beach, Calif.

SHIPPED: 12-31-52 and 1-22-53, from California to Georgia and Florida.

LABEL IN PART: (Btl.) "Vita-Glan Male Formula * * * Sole Distributors Glandular Products Co. Long Beach, California Each Tablet Contains Vitamin B-1 5 Mg. 500% MDR* Vitamin B-2 3.5 Mg. 175% MDR* Niacinamide 15 Mg.** In a base of Orchic, Pancreatin, Prostate and Adrenal Gland Substances, plus other excipients. The gland substances in Vita-Glan are inert and absolutely safe.

*Minimum Daily Adult Requirements.

**Need But Requirements Not Established."

ACCOMPANYING LABELING: Leaflet entitled "Amazing New Vita-Glan 4 Gland Substances Are Now Found In Vita-Glan."

CHARGE: 502 (a)—the labeling of the article when shipped contained false and misleading representations that the drug contained physiologically active glandular substances; that the glandular constituents were of value in overcoming glandular deficiencies in the human male; and that the article would be an adequate and effective treatment for male sexual weakness, nervousness, loss of muscle tone, aches and pains, fatigue, irritability, headaches, dizziness, weakness, mental depression, insomnia, digestive upsets, loss of appetite, neuritis, backache, mental dullness, and for enabling men past 40 to have the sexual vitality of a younger man.

PLEA: Nolo contendere.

DISPOSITION: 10-17-55. \$250 fine and probation for 5 years.

4737. C-Tone. (F. D. C. No. 36609. S. Nos. 17-640 L, 17-642 L, 17-646 L.)

INFORMATION FILED: 10-19-54, Dist. N. J., against Byrne Products, Inc., New York, N. Y., and Thomas F. Byrne, president of the corporation.

SHIPPED: 6-26-53 and 7-17-53, from New Jersey to California.

LABEL IN PART: (Btl.) "Rich in Activated Enzymes C-Tone The *Natural* Vitamin C Tonic * * * 8 Fl. Oz. Net Sole and Exclusive Distributors Byrne Products, Inc. New York 7, N. Y."