

Muscular Soreness," (massage attachment) "Electreat \* \* \* Relieves Pain," were false and misleading in that the said statements represented that the device would be efficacious for the purposes recommended; whereas it would not be efficacious for such purposes.

On April 4, 17, and 28, and May 7 and 17, 1941, no claimant having appeared for the lots seized at Bristol, Pa.; Washington, D. C.; San Angelo, Tex.; Lima, Ohio; and Boise, Idaho, judgments of condemnation were entered and the product was ordered destroyed.

On September 13, 1941, Mrs. E. C. Jones, claimant for the lot seized at Pasadena, having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration. This lot was relabeled.

#### DRUGS ALSO FAILING TO BEAR THE REQUIRED INGREDIENT STATEMENT<sup>4</sup>

**520. Misbranding of Sto-Bo-Ki and McClintock's Formula for Diabetes. U. S. v. Robert McClintock. Plea of guilty. Fine, \$120; sentence of 1 year and 1 day's imprisonment. Sentence suspended and defendant placed on probation for 3 years. (F. D. C. No. 2884. Sample Nos. 4197-E, 16805-E.)**

On December 31, 1940, the United States attorney for the Eastern District of Michigan filed an information against Robert McClintock, Ann Arbor, Mich., alleging shipment from the State of Michigan on or about March 21 and May 24, 1940, into the States of Illinois and Kansas of a quantity of Sto-Bo-Ki and McClintock's Formula for Diabetes that were misbranded.

Analyses of samples of the articles showed that Sto-Bo-Ki consisted essentially of sulfuric acid, alcohol (77.5 percent by volume), and water flavored with aromatics; and that McClintock's Formula for Diabetes consisted essentially of sulfuric acid, alcohol (75.05 percent by volume), and water flavored with cinnamon oil.

Sto-Bo-Ki was alleged to be misbranded in that the statements "The Digestive Remedy \* \* \* Use it only until ailment ceases" were false and misleading since it was not efficacious as a digestive remedy and its use would not cause cessation of digestive ailments.

McClintock's Formula for Diabetes was alleged to be misbranded in that the statement "Formula for Diabetes," borne on the bottle label, was false and misleading since it was not efficacious as a treatment for diabetes.

Both products were alleged to be misbranded further (1) in that the statement (bottle label) "Reg. With U. S. Food and Drug Administration" was false and misleading since they were not registered with the United States Food and Drug Administration; and (2) in that they were fabricated from two or more ingredients and their labels did not bear the common or usual name of the active ingredient, sulfuric acid, nor the quantity, kind, and proportion of alcohol that they contained.

On May 16, 1941, a plea of guilty was entered by the defendant and the court imposed a fine of \$120 and a jail sentence of 1 year and 1 day. The jail sentence was suspended and the defendant was placed on probation for 3 years.

**521. Adulteration and misbranding of Dr. Senftner's Glucocinine. U. S. v. 27 Boxes and 12 Boxes of Dr. Senftner's Glucocinine. Default decree of condemnation ordering product delivered to Food and Drug Administration for technical use. (F. D. C. No. 4009. Sample Nos. 31575-E, 31576-E.)**

On March 21, 1941, the United States attorney for the Eastern District of Michigan filed a libel against the above-named product at Detroit, Mich., alleging that it had been shipped by the Glucocinine Co. of America from Richmond Hill, N. Y., on or about January 20 and 30, 1941; and charging that it was adulterated and misbranded.

Analysis of a sample of the article showed that it consisted essentially of powdered plant tissues including potato strach.

It was alleged to be adulterated in that its strength differed from, or its purity or quality fell below, that which it purported or was represented to possess, namely: (Carton label) "Ingredients—Plant Insulin substances," (circular entitled "Glucocinine") "(Vegetable Insulin)" and "(Plant Insulin)," and (circular entitled "Glucocinine in Diabetes Mellitus") "Glucocinines are extracted by a special process. The resulting preparation is \* \* \* free from carbohydrates."

<sup>4</sup> Except Nos. 534 and 536. See also Nos. 429, 430, 433-437, 439, 440, 442-444, 446, 450-453, 485.