

213. Misbranding of Sananize. U. S. v. Two 5-Gallon Cans and Sixteen 2-Gallon Cans of Sananize. Default decree of condemnation, forfeiture, and destruction. (F. D. C. No. 1301. Sample No. 79708-D.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated below.

On or about January 19, 1940, the United States attorney for the Northern District of Illinois filed a libel against two 5-gallon cans and sixteen 2-gallon cans of Sananize at Freeport, Ill., alleging that the article had been shipped in interstate commerce on or about August 19, 1939, by the Farm Sananize Manufacturing Co. from Sibley, Iowa; and charging that it was misbranded.

Analysis of samples showed that the product consisted essentially of coal-tar naphtha and mineral oil, with small amounts of phenolic bodies and formaldehyde. No lime-sulfur was present and no iodine was detected. The product was not miscible in water.

The article was alleged to be misbranded in that its labeling bore representations that it would immunize poultry, hog and farm buildings from diseases, that chickens would inhale the odor which would help to keep them in good condition; that it would prevent hog flu, necro, cholera, leucemia, roup, tuberculosis, etc.; that for hog flu, coughs and colds the hogs should be put in a small space and sprayed lightly to help keep germs out of herd; that hogs should be sprayed thoroughly for mange and scurf; that by sanitizing before the herd becomes ailing 75 to 90 percent of losses could be avoided; that hog flu pneumonia could be stopped in two or three evenings, mange and scurf cleaned from hogs in 2 weeks, that necro germs and any germs would be wiped out by Sananize; that it would keep the nostrils of poultry open; that croup, bronchitis, diphtheria and any ailments caused by colds can be stopped and prevented with Sananize in 2 to 4 days; that it would prevent sleeping sickness and other horse diseases; that it was commonly known or believed that prussic acid poison starts sleeping sickness which is then carried from a sick animal to others by flies, which representations were false and misleading, since the article would not be efficacious for the purposes recommended.

The article also was alleged to be misbranded under the Insecticide Act of 1910, as reported in notices of judgment published under that act.

On June 3, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

MISCELLANEOUS DRUGS AND DEVICES

214. Misbranding of Diaplex. U. S. v. 32 Cartons, 29 Cartons, and 94 Packages of "Diaplex A Variety of Saltbush." Decrees of condemnation. Portion of product ordered destroyed. Remainder ordered released under bond for relabeling. (F. D. C. Nos. 1552, 1626, 1679. Sample Nos. 2649-D, 73520-D, 6322-E.)

The labeling of this product bore false and misleading representations regarding its efficacy in the treatment of the conditions indicated below.

On March 5, 14, and 22, 1940, the United States attorneys for the Northern District of California, the Western District of Washington, and the District of Idaho filed libels against 32 cartons of Diaplex at San Francisco, Calif., 29 cartons of the product at Seattle, Wash., and 94 packages at Boise, Idaho, alleging that the article had been shipped in interstate commerce within the period from on or about October 23, 1939, to on or about March 7, 1940, by the Diaplex Laboratories from Denver, Colo.; and charging that it was misbranded.

Analysis showed that the article consisted essentially of plant material including stem and leaf tissues.

Misbranding was alleged in that the labeling in all shipments bore directions that 2 or 3 heaping tablespoonfuls of the product be used in each pint of water, that it be brought to a boil or percolate for 10 minutes, and that it should be served hot; and representations that it was efficacious in diabetes, that the diabetic patient should drink at least 2 quarts daily for from 3 to 9 months, that such use should produce amazing results as indicated by daily urine tests; that persons using the product should make urine tests daily and that as the pancreas increased its normal function the amount of insulin should be reduced to avoid insulin reaction; that only enough insulin should be used to take care of the surplus sugar and that eventually insulin could be eliminated entirely; that the article should be used until the patient was well and strong; that persons who have never used insulin or whose blood sugar does not test over 140 mg. per 100 cc. of blood or not in coma would find it unnecessary to do so and that the only thing required was to adhere to a good diabetic diet and drink 2 quarts daily of the product to produce the grand activity of good

health and vigor; and the labeling in one shipment contained the further representations that the article would improve the condition of the heart and appendix, would induce good sleep, eliminate pain in the liver; would be efficacious in the treatment of cardiac rheumatism, bloating of the stomach, constant belching, diabetic gangrene, would aid one in gaining weight, aid the digestion, benefit the kidneys, induce sleep and eliminate gangrenous infection in the feet, which representations were false and misleading since the article was not efficacious for the purposes recommended.

On April 2 and May 29, 1940, no claimant having appeared for the lots seized at San Francisco, Calif., and Seattle, Wash., judgments of condemnation were entered and the two lots ordered destroyed. On May 10, 1940, Henry Legler, Boise, Idaho, claimant for the lot seized at Boise, Idaho, having consented to the entry of a decree, judgment of condemnation was entered and the said lot was ordered released under bond, conditioned that it be relabeled in compliance with the law.

215. Adulteration and misbranding of Germ-I-Tabs. U. S. v. 1½ Dozen Boxes of Germ-I-Tabs. Default decree of condemnation and destruction.
(F. D. C. No. 1915. Sample No. 6325-E.)

The labeling of this product bore false and misleading representations regarding its antiseptic and germicidal properties and its efficacy in the treatment of the conditions indicated below.

On May 18, 1940, the United States attorney for the District of Montana filed a libel against 1½ dozen boxes of Germ-I-Tabs at Butte, Mont., alleging that the article had been shipped in interstate commerce on or about January 3, 1940, by Esteys, Inc., from Seattle, Wash.; and charging that it was adulterated and misbranded.

Analysis showed that it consisted of tablets containing starch and 22.40 percent of sodium paratoluenesulfonchloramide (chloramine-T). Bacteriological tests showed that it was not an antiseptic or germicide in the dilutions recommended.

The article was alleged to be adulterated in that its strength differed from that which it purported or was represented to possess, namely, "Antiseptic."

Misbranding was alleged in that the labeling bore representations that it was an antiseptic and would prevent infection; that it was the modern antiseptic for professional and home use; that it was a convenient means of always having an ample supply of an effective germicide, antiseptic, and personal deodorant; was very effective in destroying objectionable germs; that it would retain its strength in ordinary stoppered bottles over a period of many months; that it was advisable to make up a solution by dissolving one tablet in a small bottle of water and that when only a small amount of the solution was needed enough water should be added to make the strength desired, which method was especially recommended in the home or shop where solutions are frequently used for treatment of cuts, scratches, or for a mouthwash or gargle; that it was efficacious in the treatment of acne (pimples), etc., which representations were false and misleading since the article was not efficacious for the diseases and conditions so stated in the labeling.

On July 30, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

216. Misbranding of Parker's Hair Balsam. U. S. v. 19 Dozen Retail Packages of Parker's Hair Balsam. Default decree of condemnation and destruction.
(F. D. C. No. 1832. Sample No. 174-E.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated below.

On April 18, 1940, the United States attorney for the Northern District of Georgia filed a libel against 19 dozen packages of Parker's Hair Balsam at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about August 26, 1939, and January 27, 1940, by Hiscox Chemical Works from Patchogue, N. Y.; and charging that it was misbranded.

Analysis showed that it consisted essentially of lead acetate, sulfur, water, and glycerin, together with perfume materials.

The article was alleged to be misbranded in that the labeling contained representations that baldness is only a question of time unless means be taken at once to arrest the decay of the root [of the hair], or to restore the scalp to its proper condition of softness and cleanliness and that the hair would not only fall out, but the bulbs themselves would become atrophied and in-