811. Misbranding of Brown's Nosopen. U. S. v. 12 Cartons of Brown's Nosopen. Default decree of condemnation and destruction. (F. D. C. No. 7640. Sample No. 83803–E.)

On June 16, 1942, the United States attorney for the Southern District of Texas filed a libel against 12 cartons of Brown's Nosopen at Houston, Tex., alleging that the article had been shipped in interstate commerce on or about January 7, 1942, from Lawton, Okla., by the Am-Bro Co.

Examination showed that the article contained 2 units designated "No. 1 Solution" and "No. 2 Solution," respectively. Analyses of samples showed that the No. 1 solution consisted essentially of ephedrine sulfate (approximately 1 percent), chlorobutanol, and water; and that the No. 2 solution consisted essentially of ephedrine alkaloid (approximately ¾ percent), and small proportions of volatile oils including camphor, menthol, and oil of eucalyptus in a mineral oil base.

The article was alleged to be misbranded (1) in that both solutions contained ephedrine but the labeling failed to warn that frequent or continued use might cause nervousness, restlessness, and sleeplessness and that it should not be used by individuals suffering from high blood pressure, heart disease, diabetes, or thyroid trouble except upon competent advice, and in that the No. 2 solution contained mineral oil and its labeling failed to warn frequent or excessive use might cause injury to the lungs and that it should not be given to infants and younger children except on competent advice; (2) in that its name, "Nosopen," was false and misleading since it represented and suggested that it would open the nasal passages and make breathing easier, whereas it would not accomplish such results; and (3) in that a statement on the label, "Discomforts of Hay-Fever, Asthma, Sinus-Head-Colds," was false and misleading since it represented and suggested that the article would be efficacious for all discomforts of the conditions described, whereas it would be effective only to lessen nasal congestion.

On July 31, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

812. Misbranding of Texas Crystals. U. S. v. 47 Packages of Texas Crystals. Default decree of condemnation and destruction. (F. D. C. No. 7585. Sample No. 78303–E.)

In addition to failure to bear such warnings as are necessary for the protection of users, the labeling of this product failed to declare that sodium sulfate was the only ingredient present in an appreciable amount.

On May 29, 1942, the United States attorney for the District of Maryland filed a libel against 47 packages of Texas Crystals at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about April 8 and May 1, 1942, by Loye Distributing Co. from Fairmont, W. Va.

Analysis of a sample of the article showed that it consisted of hydrated sodium sulfate with traces of other inorganic salts.

The article was alleged to be misbranded (1) in that it was a laxative and its labeling failed to warn that a laxative should not be taken in cases of nausea, vomiting, abdominal pain, or other symptoms of appendicitis, and that frequent or continued use might result in dependence upon laxatives; (2) in that the statement appearing on the label, "Analysis sodium sulphate, calcium carbonate, sodium chloride, magnesium carbonate, potassium chloride, sodium carbonate, traces of iron and aluminum oxide," was misleading since it failed to reveal the fact that the article did not contain appreciable amounts of any ingredient except sodium sulfate.

On July 21, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

813. Misbranding of Purola Female Pills. U. S. v. 44 Packages of Purola Female Pills. Default decree of condemnation and destruction. (F. D. C. No. 6864. Sample No. 93031–E.)

On February 18, 1942, the United States attorney for the Western District of Washington filed a libel against 44 packages of Purola Female Pills at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about November 19, 1941, by McKesson & Robbins, Inc., from Portland, Oreg. The article was labeled in part: "Purola Female Pills * * * Packed for Blumauer-Frank Drug Co. Portland, Oregon."

Analysis showed that the article consisted essentially of laxative plant drugs including aloes, oil of tansy, alkaloidal material, probably derived from ergot, and iron sulfate.

It was alleged to be misbranded (1) in that it was a laxative when used as directed, but its labeling failed to bear warnings that it should not be used