so effective; and (3) in that the labeling failed to bear adequate directions for use, since the directions appearing upon the labeling "2 Tablets about 2 hours after Breakfast and 2 Tablets at bedtime" and "To avoid the 'Laxative Habit' do not take continously," failed to specify that a laxative should be taken only occasionally when needed.

On August 24, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

838. Misbranding of Ironized Yeast. U. S. v. 500 Cartons of Ironized Yeast. Consent decree of condemnation. Product ordered released under bond to be brought into compliance with the law. (F. D. C. No. 6512. Sample No. 74949–E.)

On December 20, 1941, the United States attorney for the Southern District of New York, filed a libel against 500 Cartons of Ironized Yeast, at New York, N. Y., alleging that the article had been shipped in interstate commerce by the Ironized Yeast Co., Inc., from Atlanta, Ga.; and charging that it was misbranded. The article was labeled in part: "Each tablet contains reduced iron—Iron Peptonized Haemoglobin Vitamin B Concentrate from Yeast Lager Yeast."

The article was alleged to be misbranded in that certain statements in the labeling which represented that it would be efficacious for underweight, thin, run-down, tired and nervous people were false and misleading since they held out the promise and created the impression that consumption of the article as directed would result in gain of weight, increased vigor and appetite, and the disappearance of tiredness and nervousness, whereas the article when used as directed would not increase weight, overcome nervousness, produce vigor, improve the appetite, produce charm and popularity, or otherwise accomplish the results promised, implied, and represented.

On October 26, 1942, the Ironized Yeast Co., Inc., claimant, having withdrawn its amended answer therefore entered and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be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.

839. Misbranding of Old Hickory Ointment. U. S. v. 52 Jars of Old Hickory Ointment. Default decree of condemnation and destruction. (F. D. C. No. 8019. Sample No. 28503–F.)

On July 31, 1942, the United States attorney for the Northern District of Georgia filed a libel against 52 jars of Old Hickory Ointment at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about May 5, 1942, by the Old Hickory Medicine Co., from Chattanooga, Tenn.

Analysis of a sample of the article showed that it consisted essentially of zinc oxide, salicylic acid, calomel, carbolic acid, camphor, menthol, and petrolatum.

The article was alleged to be misbranded in that the following statements on the label: "Acne, Barber's Itch, Tetter, * * * Eczema, Scabies, * * * Dandruff, Psoriasis, Itching Piles," were false and misleading since they represented and suggested that the article would be effective in the treatment of such conditions, whereas it would not be so effective. It was alleged to be misbranded further in that its label failed to bear a statement of the quantity or proportion of calomel, a mercury derivative, present in the article.

On September 22, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DRUGS FOR VETERINARY USE

840. Misbranding of Eby's Chicken Medicine and Eby's Swine Medicine. U. S. v. Frank D. Eby (Eby Remedy Co.). Plea of guilty. Fine, $150 and costs. (F. D. C. No. 5580. Sample Nos. 76759–E, 76760–E, 76930–E.)

On September 22, 1942, the United States attorney for the Northern District of Iowa filed an information against Frank D. Eby, trading as Eby Remedy Co., at Marengo, Iowa, alleging shipment on or about December 3, 1941, and January 29, 1942, from the State of Iowa into the State of South Dakota of quantities of Eby's Chicken Medicine and Eby's Swine Medicine which were misbranded.

Analysis of one sample of the Chicken Medicine showed that it consisted essentially of volatile oils including eucalyptol and phenolic compounds, small proportions of benzoic acid, and iodine. Analysis of a second sample showed that it consisted essentially of phenolic and camphoraceous substances including menthol, eucalyptol, and camphor, and small proportions of benzoic acid, water, and an oil-soluble dye. Analysis of a sample of the Swine Medicine