

ALLEGED SHIPMENT: On or about January 27 and February 6, 1948, by Evanston Labs., Inc., from Evanston, Ill.

PRODUCT: 224 cartons each containing 1 bottle of *Red Cell Caps* and a circular entitled "The Story of Red Cell Caps" at Louisville, Ky. Examination showed that the product consisted essentially of spray-dried blood and that the total iron content was 2.1 milligrams per capsule.

LABEL, IN PART: (Bottle) "Red Cell Caps 42-5 grain capsules."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the article were false and misleading. These statements represented and suggested that the article was effective as a blood building food and as a supplement to the diet, that it would maintain or produce beauty, health, and vibrant energy; and that it would regenerate the blood. The article would not be effective for such purposes.

DISPOSITION: December 1, 1948. Default decree of condemnation and destruction.

2705. Misbranding of Abbe Hamon Tea. U. S. v. 2 Packages, etc. (F. D. C. No. 25058. Sample Nos. 5181-K to 5188-K, incl., 5190-K, 5192-K, 5193-K, 5195-K to 5197-K, incl.)

LABEL FILED: July 8, 1948, District of Massachusetts.

ALLEGED SHIPMENT: Between the approximate dates of January 9 and the month of June, 1948, by the Botanical and Marine Laboratories, from Manchester, N. H.

PRODUCT: 27 packages of various preparations of *Abbe Hamon Tea*, at Lowell, Mass.

LABEL, IN PART: "Tea No. 1. * * * Ingredients: Bark; Frangula. Leaves; Nettle, Eucalyptus, Bilberry, Geranium Robert. Nuts; Eucalyptus, Gall, Walnut Shuck. Roots; Bistort, Calamus. Grass; Knot Grass. Vehicle; Hazel leaves," "Tea No. 3. * * * Ingredients: Bark; Frangula. Leaves; Horse Tail, Ulmaire, Woodruff, Maize Stigma. Vehicle; Hazel leaves," "Tea No. 11. * * * Ingredients: Leaves; Box. Roots; Couchgrass, Patience dock, Liquorice. Seaweed; Fucus Vesiculosus. Vehicle; Hazel leaves." "Tea No. 14. * * * Ingredients: Bark; Oak. Leaves; Woodruff, Shepherds purse. Roots; Bistort Liquorice. Vehicle; Hazel leaves," "Tea No. 16. * * * Ingredients: Flowers; Genista. Leaves; Woodruff, Centaury, Gratiola. Roots; Burdock, Thistle Rolland, Liquorice. Seeds; Carrot. Vehicle; Hazel leaves," "Tea No. 18. * * * Ingredients: Leaves; Bilberry, Geranium Robert, Violet, Peppermint, Shepherds Purse. Roots; Inula. Vehicle; Hazel leaves," "Tea No. 6. * * * Ingredients: Flowers; Lime, Elder, Poppy Feverfew. Leaves; Oak Mistletoe. Roots; Nenuphar, Valerian. Vehicle; Hazel leaves," "Tea No. 20. * * * (Leaves; Ash, hysop, mint, hazel nut, field horsetail, green of the meadow)," "Tea No. 4. * * * Ingredients: Bark; Oak. Leaves; Catmint, Centaury, Walnut; Roots; Gentian, Calamus. Vehicle; Hazel leaves," "Tea No. 7. * * * Constituent Herbs Anchusa Officinalis—Papaver Rhoas—Viscum Album—Coryllus Avellana—Sambucus Nigra," "Tea No. 8. * * * Ingredients: Bark; Frangula. Leaves; Artemisia, Wormwood, White Horehound. Seeds; Parsley. Vehicle; Hazel leaves," "Tea No. 10. * * * (Barks; oak, willow. Leaves; Mint, hazelnut. Berry; Whortleberry. Nut; Gall. Root; snakeweed)," "Tea No. 12. * * * Ingredients: Bark; Frangula. Flower; Scabiosa. Leaves; Chicory, Box Centaury, St. Johns Wort. Roots; Fumitory, Couchgrass; Gentian. Vehicle; Hazel leaves," and

"Tea No. 13. * * * Ingredients: Flowers; Lavender. Origan. Marjoram. Seeds; Angelica, Anise, Caraway, Coriander, Fennel. Roots; Angelica. Vehicle; Hazel leaves."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the labels of the articles were false and misleading. The statements represented and suggested that the articles were effective in the treatment of the following diseases, symptoms, and conditions; (No. 1 Tea) diabetes; (No. 3 Tea) rheumatism, gout, sciatica, arthritism; (No. 11 Tea) obesity, paralysis, goiter, arteriosclerosis; (No. 14 Tea) bad circulation, varicose veins, piles, congestion, phlebitis, hemorrhage; (No. 16 Tea) heart disease, kidneys, liver, and urinary organs; (No. 18 Tea) ulcers of the stomach and the intestines; (No. 6 Tea) nervousness, epilepsy, St. Vitus' dance, hysteria, neurasthenia; (No. 20 Tea) Spring and Autumn conditions, infectious disease, poor appetite; (No. 4 Tea) "anemia" and critical age; (No. 7 Tea) whooping cough and all respiratory troubles in children; (No. 8 Tea) menstrual irregularity, insufficiency, and menopause; (No. 10 Tea) diarrhea and enteritis; (No. 12 Tea) pimples, acne, and vitiated blood; and (No. 13 Tea) stomach complaints. The articles were not effective in the treatment of such diseases, symptoms, and conditions.

DISPOSITION: September 27, 1948. Default decree of condemnation and destruction.

2706. Misbranding of Prostall. U. S. v. 10 Bottles, etc. (F. D. C. No. 26382. Sample No. 32509-K.)

LIBEL FILED: January 13, 1949, Northern District of California.

ALLEGED SHIPMENT: By Douglas Laboratories, Inc., from Boston, Mass. The product was shipped on or about November 12, 1948, and a number of leaflets were shipped on or about October 29, 1948.

PRODUCT: 10 100-capsule bottles of *Prostall* at San Francisco, Calif., together with a number of leaflets entitled "The Story of Prostall." In addition a placard which was prepared by the consignee was displayed with the product. The shipper, however, had suggested the wording to be used on the placard in a letter dated February 27, 1947. Analysis showed that the product consisted of amino acids.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the bottle label and in the leaflets were false and misleading since they represented and suggested that the article was effective in the relief of pain and prostate hypertrophy, whereas the article was not effective for such purposes. The article was misbranded in this respect when introduced into and while in interstate commerce.

Further misbranding, Section 502 (a), certain statements on the placard were false and misleading since they represented and suggested that the article was effective in the relief of urinary frequency and nocturia, whereas the article was not effective for such purposes. The article was misbranded in the latter respect while held for sale after shipment in interstate commerce.

DISPOSITION: March 1, 1949. Default decree of condemnation. The product was delivered to the Food and Drug Administration.

2707. Misbranding of Eskimo Vibrator. U. S. v. Bersted Manufacturing Co. Plea of nolo contendere. Fine of \$100 and costs. (F. D. C. No. 26695. Sample Nos. 20728-K, 31625-K.)

INFORMATION FILED: May 9, 1949, Northern District of Ohio, against the Bersted Manufacturing Co., a corporation, Fostoria, Ohio.