

543. Misbranding of Nature's Minerals. U. S. v. 64 Bottles of Nature's Minerals Tablets and 15 Cartons and 19 Cartons of Nature's Minerals Powder. Default decree of condemnation and destruction. (F. D. C. No. 4819. Sample Nos. 82694-E to 82696-E, incl.)

On May 23, 1941, the United States attorney for the Southern District of California filed a libel against the above-named articles at Los Angeles, Calif., alleging that they had been shipped on or about September 19 and 26, 1940, and April 18, 1941, by Nature's Minerals Food Co. from Indianapolis, Ind.; and charging that they were misbranded.

The articles were alleged to be misbranded in that they would be dangerous to health when used in the dosage or with the frequency or duration prescribed in the labeling, namely, (carton containing the powder) "Directions—One round teaspoonful three times daily," or (bottles containing the tablets) "Average Directions: Take three tablets, three times daily before or after meals, for a reasonable time."

The articles were also alleged to be adulterated under the provisions of the law applicable to foods, as reported in F. N. J. No. 2998.

On June 17, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

544. Misbranding of Nature's Minerals. U. S. v. 40 12-Ounce Packages, 10 6-Ounce Packages, and 15 4-Ounce Packages of Nature's Minerals. Default decree of condemnation and destruction. (F. D. C. No. 4268. Sample Nos. 55461-E, 55462-E.)

On April 15, 1941, the United States attorney for the Western District of Washington filed a libel against the above-named product at Tacoma, Wash., alleging that it had been shipped in part by P. G. Jurich from Pasadena, Calif., on or about September 13, 1940, and January 9, 1941, and in part by Nature's Mineral Co. from Indianapolis, Ind., on or about September 17, 1940; and charging that it was misbranded.

Analyses of samples of the article showed that it consisted essentially of compounds of calcium, magnesium, iron, and sodium, phosphates, carbonates, sulfates, chlorides, sulfur, and fluorine.

The article was alleged to be misbranded in that it would be dangerous to health when used in the dosage or with the frequency or duration prescribed, which directed that $\frac{1}{8}$ to 1 round teaspoonful be taken three times a day.

It was alleged to be misbranded further: (1) In that the statements, "Nature's Minerals may be used as an aid in supplying in concrete form the minerals sometimes found deficient in the ordinary diet. * * * Recommended as a scientific combination of minerals capable of being utilized by the different organs of the body. * * * Best results will be obtained by placing dry on the tongue," were false and misleading. (2) In that statements on display cards representing that it would be efficacious in the treatment or prevention of cancer, colds, hardening of the arteries, diabetes, stomach, blood, kidney, and bladder trouble, colitis, rheumatism, neuritis, and gallstone, and that by its use the purchaser would enjoy joyous and lasting health, were false and misleading since it would not be efficacious for such purposes. (3) In that representations in an accompanying circular [these representations are set forth in D. D. N. J. No. 541] were false and misleading since it would not be efficacious for such purposes.

It was alleged to be adulterated and misbranded under the provisions of the law applicable to foods, as reported in F. N. J. No. 2999.

On June 30, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

545. Misbranding of Nature's Minerals Compounds. U. S. v. 8 Bottles of Nature's Minerals Compounds Tablets, and 18 Cans and 20 Cans of Nature's Minerals Compounds Powder. Default decree of condemnation and destruction. (F. D. C. No. 4010. Sample Nos. 55434-E to 55436-E, incl.)

On March 21, 1941, the United States attorney for the Western District of Washington filed a libel against the above-named product at Seattle, Wash., alleging that it had been shipped on or about January 9 and 24, 1941, by P. G. Jurich from Pasadena, Calif.; and charging that it was misbranded.

Analyses of samples of the article showed that it consisted essentially of compounds of calcium, magnesium, iron, and sodium, phosphates, carbonates, sulfates, chlorides, sulfur, and fluorine (3,600 parts per million in 8 bottles, 4,320 parts per million in 18 cans, and but a trace in 20 cans).

Portions of the article (8 bottles and 18 cans) were alleged to be misbranded in that it would be dangerous to health when used in the dosage or with the

frequency or duration prescribed in the labeling, which directed that 3 tablets or 1 teaspoonful of the powder be taken three times daily.

The article was alleged to be misbranded further: (1) In that the following statements (8 bottles) "Nature's Minerals * * * May be used as an aid in supplying in concrete form the minerals sometimes found deficient in the ordinary diet"; (18 cans) "Nature's Minerals * * * 'Nature's Minerals' is an organic and inorganic combination representing mineral constituents which occur in the human body. * * * Best results will be obtained by placing dry on the tongue * * * May be used as an aid in supplying in concrete form the minerals sometimes found deficient in the ordinary diet"; and (20 cans) "Nature's Minerals * * * Best results will be obtained by placing dry on tongue," were false and misleading. (2) In that statements in accompanying display cards and circulars which represented that it would be efficacious in the treatment of arthritis, neuritis, sciatica, indigestion, diabetes, colitis, gastritis, skin and nervous ailments; that it would remineralize the system and rebuild the glands; that it would insure the user that he would live to an advanced age without seeming old or losing his capacity to think or work; that it would drain the acids from the tissue cells; that it would enter directly into the blood and would be carried to every gland, organ, nerve and muscular cell and supply any element lacking or deficient; that it would banish acid conditions of the stomach and help digestion; that it would have a purifying action on the blood and aid in the elimination of waste matter; that it would "Bring the great health Resorts right into your own home" and would alleviate conditions for which a sojourn at such resorts is customarily prescribed; that it would produce fine results in the treatment of hives, goiter, diabetes, colitis, rheumatism, high blood pressure, and liver, stomach, kidney and bladder troubles; that its use would prevent the development of goiter, skin disease, neuritis, obesity, rickets, anemia, weakness, asthma, stomach trouble, eczema, subnormal growth, nervous exhaustion, rheumatism, kidney and bladder trouble, constipation, acidosis and heart disorders, arthritis, blood disorders, high blood pressure, stomach ulcers, diabetes, bladder and kidney ulcers, tumors, mental and physical exhaustion, and premature old age; and that users might reasonably expect the article to produce normal bone development, thyroid health and vitality, improved metabolism, red blooded cells, increased vitality, good teeth, alkalinity, normal cell activity, sturdy bones, clear thought, good digestion, increased gastric juices, improved heart and liver action, improved body tissue, clear skin, steady nerves, better health and vitality and to dissolve calcium in arthritis, purify the blood, nourish every gland and organ, eliminate toxic poisons and acids, improve digestion and prevent fermentation, were false and misleading since it would not be efficacious for such purposes.

It also was alleged to be adulterated and misbranded under the provisions of the law applicable to foods, as reported in F. N. J. No. 3000.

On June 23, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

546. Misbranding of Breatheasy kits and inhalant. U. S. v. 2 Breatheasy Kits, 12 Bottles, 2 Bottles, and 14 Bottles of Inhalant for use in Breatheasy Nebulizer. Default decree of condemnation and destruction. (F. D. C. No. 4627. Sample Nos. 60707-E, 60708-E.)

This product would be dangerous to health when used according to directions, and the labeling bore false and misleading therapeutic claims and also failed to comply with other requirements of the law.

On May 5, 1941, the United States attorney for the District of Massachusetts filed a libel against 2 Breatheasy kits and 12 1-fluid-ounce bottles and 16 ½-fluid-ounce bottles of inhalant at New Bedford, Mass., alleging that the article had been shipped on or about November 27, 1940, and March 17 and April 26, 1941, by Breatheasy Distributors, Inc., from Seattle, Wash.; and charging that it was misbranded.

Examination of the inhalant showed that it had the activity of 3 percent synthetic racemic epinephrine hydrochloride.

The article was alleged to be misbranded (1) in that it would be dangerous to health when used in the dosage or with the frequency and duration prescribed, recommended, or suggested on the bottle label and in an accompanying booklet; (2) in that statements in the accompanying booklet which created the impression that it was a safe, appropriate, and efficacious treatment for asthma, hay fever, dermatitis, eczema, chronic bronchitis, and head colds, when used by the ordinary individual under customary conditions of purchase and use, were false and misleading since it was not a safe, appropriate, and effective treatment for such ail-