

2335. Misbranding of Key-Mins. U. S. v. Edward T. Keenan (Keenan Laboratories). Plea of nolo contendere. Fine, \$100. (F. D. C. No. 21446. Sample No. 7603-H.)

INFORMATION FILED: May 28, 1947, Southern District of Florida, against Edward T. Keenan, trading as Keenan Laboratories, Frostproof, Fla.

ALLEGED SHIPMENT: On or about July 2, 1945, from the State of Florida into the State of New York.

LABEL, IN PART: "Key-Mins Citrate and Phosphate Crystals Contain Dicalcium Phosphate and the Citrates of Iron, Magnesium, Potassium, Manganese, Copper, Zinc, Nickel and Cobalt for Dietary use * * * Approximate Milligrams per Gram Calcium 153.540 Phosphorus 118.620 Iodine .015 Iron 1.050 Copper .301 Manganese .475 Magnesium 31.630 Potassium 7.909 Cobalt .155 Zinc .315 Nickel .158 Vitamin B-1 (Thiamine Hydrochloride) .158 Vitamin B-2 (Riboflavin) .316 Vitamin B-6 (Pyrodoxine Hydrochloride) .031 Nicotinic Acid 2.372 Calcium Pantothenate .079."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in a leaflet entitled "Bulletin XXI," which was shipped with the article, were false and misleading. These statements represented and suggested that the article would be efficacious in the treatment and prevention of colon stasis, urine difficulties, sour stomach, indigestion, menstrual pains, celiac disease, colitis, diabetes, influenza, coryza, rheumatic fever, and dyskinesia; that it would improve the quality and increase the quantity of intestinal chyme; that it would enable the pancreas and liver to perform their functions; that it would improve digestion and the actions of the digestive juices; and that it would prepare the intestinal content for evacuation. The article would not be efficacious for such purposes.

Further misbranding, Section 502 (a), certain statements on the label of the article were misleading, since they represented and suggested that the article was of nutritional significance by reason of its content of manganese, magnesium, potassium, cobalt, zinc, nickel, vitamin B₆, and calcium pantothenate, whereas the article was not of any nutritional significance by reason of its content of such ingredients.

The article was alleged also to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: December 31, 1947. A plea of nolo contendere having been entered, the court imposed a fine of \$100.

2336. Misbranding of Nature's Minerals Compound and vitamin B complex tablets. U. S. v. Nature's Mineral Food Co., a partnership, and Perry B. Smith. Pleas of guilty. Partnership fined \$500; individual fined \$100. (F. D. C. No. 20162. Sample Nos. 16633-H, 16634-H, 17225-H.)

INFORMATION FILED: October 2, 1946, Southern District of Indiana, against Nature's Mineral Food Co., Indianapolis, Ind., and Perry B. Smith, a partner.

ALLEGED SHIPMENT: On or about March 19 and April 12, 1945, from the State of Indiana into the State of Illinois. Accompanying the products were form letters bearing the heading "Good Morning," circulars entitled "Are You Suffering From Mineral Starvation," and leaflets entitled "Cause and Results," "Prostate Glands," "Testimonials for Nature's Minerals Rheumatism," and "Abundant Health."

Analysis showed that the *Nature's Minerals Compound* consisted essentially of calcium, sodium, iron, magnesium, sulfates, phosphates, chlorides, carbonates, free sulfur, and a trace of iodides, and that the *vitamin B complex tablets* contained thiamine chloride, nicotinic acid, and riboflavin.

LABEL, IN PART: "Nature Minerals Compound," or "High Potency Vitamin B Complex."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling were false and misleading. These statements represented and suggested and created in the mind of the reader the impression that the articles, used alone or in conjunction with each other, would be beneficial in the treatment of enlarged, sluggish, and dormant prostate glands, stagnant blood, and impaired nervous energy; that they would enable the body to throw off accumulated toxic acid poisons; that they would keep hundreds out of hospitals and would keep men past 40 happy and vigorous; that they would be beneficial in the treatment of any disease conditions of the prostate glands in young or old men,

whether acute or of long standing; that they would restore the prostate glands to a normal state of vigor and vitality and would eliminate the need for an operation on those glands; that they would purify and improve the quality and the quantity of the blood; that they would restore the normal functioning of the organs and the nervous system; that they would produce healthy bodies and would enable the body to get rid of accumulated poisons and acids in the system; that they would enable the body to throw off any disease with which it was inflicted; that they would be beneficial in the treatment of arthritis, and when combined with vitamins would produce wonders in the system; that they would enable one to regain health and would cause one to retain health; that they would be efficacious in the correction of poor teeth, bone diseases, deformities, lack of energy, lowered vitality, Bright's disease, tuberculosis, colds, lowered resistance, swollen and enlarged glands, bunions, inflammatory conditions, patches of grayish white and membranous substances in the throat, skin discharges and eruptions, stuffy colds, dark brown circles under the eyes, pain accompanied by swelling, thick white coating on the tongue, sluggish liver, sick headache, belching, deafness with crackling noises, and deep barking cough; that they would prevent eruptive diseases in early childhood; that they would create and maintain cell life in the structures of the nerves and brain; that they would be efficacious in the correction of nervous debility, neuralgia, nervous headache, hysteria, melancholia, excessive shyness, liability to faint, irregular pulse, palpitation of the heart, undue sensitiveness to noises, inability to concentrate, irritability, sleeplessness, mania, cramps, nerve pains, constipation from spasmodic nervousness, twitching muscles, mental illusions, dyspepsia with gas, hiccoughs, stuttering, and many other painful conditions; that they would control waste matter such as pus, perspiration, and excess water; that they would prevent infections, rheumatism, arthritis, gallstones, hay fever, sinus trouble, and diabetes; that they would neutralize acids and keep the lime in solution; that they would be beneficial in the treatment of pimples, boils, carbuncles, styes, and abscesses; that they would eliminate every ache and pain and would insure perfect bodily functioning; that they would be beneficial in the treatment of asthma; that they would restore normal alkalinity to the body; that they would eliminate disease regardless of its name, whether it was chronic or acute; that they would build up greater resistance to disease and senility; that they would correct disturbed mineral balance; that they would be beneficial in the treatment of ulcers, neuritis, and kidney and intestinal troubles; that they would insure abundant health and would provide abundant energy; that they would activate and revive glands and would remove waste matter and poisons from the tissues of the blood stream; and that they would destroy disease of every organ of the body. The articles, when used alone or in conjunction with each other, would not be effective for the purposes so represented.

The articles were alleged also to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: December 5, 1946. Pleas of guilty having been entered, the partnership was fined \$500 and the individual defendant was fined \$100.

2337. Misbranding of Nu-Youth Hormone Creme. U. S. v. 1,945 Jars * * *
(F. D. C. No. 23885. Sample No. 2610-K.)

LIBEL FILED: November 4, 1947, District of Columbia.

ALLEGED SHIPMENT: On or about August 23, 1947, by Kathryn, Inc., from Chicago, Ill.

PRODUCT: 1,945 1¼-ounce jars of *Nu-Youth Hormone Creme* at Washington, D. C.

LABEL, IN PART: "Nu-Youth Hormone Day or night Creme."

NATURE OF CHARGE: Misbranding, Section 502 (a), the term "Nu-Youth" was false and misleading, in that it suggested that the article would be effective in renewing the attributes of youth in the mature user, whereas it would not be effective for that purpose; and the label statements "Contains 7,500 international units (per ounce) of Gynestrol (Trade Mark) natural estrogen (estrone-estrodiolequin-equinin) [female hormones]" was false and misleading, since the potency of the article was equivalent to not more than 1,500 International Estrone Units per ounce.