

Gammas Natural Riboflavin, Dextrose"; and "Java Ton Contains Soluble Coffee Lactose."

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the articles failed to bear adequate directions for use for the following diseases, symptoms, and conditions for which the articles were prescribed, recommended, and suggested in advertising, sponsored by and on behalf of the manufacturer, packer, and distributor of the articles: *Fruitonya*—Insomnia due to nervousness, colds, too long menstrual flow, bad liver, and catarrh; *Neutra-ton*—poison glands, a condition of pus in the eyes, vomiting of babies, and liver conditions; *Hematon No. 1*—Anemia in thin people; *Hematon No. 2*—anemia in stout people and for blood building; *Phospho B Complex*—bad heart condition, poor memory, and low blood pressure; *Ribo Ton*—inflamed or tired eyes; and *Java Ton*—goiter.

Further misbranding, *Hematon No. 1*, Section 502 (a), the designation "Hematon No. 1" and the label statement "5 Vitamin Malt Tonic With Iron" were false and misleading since the article was not a blood tonic and did not possess tonic properties; and, *Hematon No. 2*, Section 502 (a), the designation "Hematon No. 2" was misleading since it created the impression that the article was a blood tonic, whereas it was not.

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

DISPOSITION: On February 24, 1949, the Miracle Food Co., claimant, filed a request for answers to certain interrogatories. The interrogatories were answered, and on November 17, 1949, the claimant having consented to the entry of a decree (and the court having found that the products were misbranded as alleged in the libel, except that no finding was made with respect to the allegation that the name "Fruitonya" was misleading within the meaning of Section 403 (a)), judgment of condemnation was entered and the court ordered that the products be destroyed.

2914. Misbranding of Catalyn, Cataplex A, Cataplex C, Cataplex A and C, Cataplex E, Cataplex F, Cataplex G, and Minaplex. U. S. v. 24 Packages, etc. (F. D. C. No. 27266. Sample Nos. 9548-K, 9549-K, 9551-K to 9556-K, incl.)

LIBEL FILED: June 22, 1949, Southern District of New York.

ALLEGED SHIPMENT: Between the approximate dates of October 31, 1947, and March 23, 1949, from Milwaukee, Wis.

PRODUCT: 24 packages, consisting of 6 bottles, of *Catalyn*; 3 packages of *Cataplex A*; 1 bottle of *Cataplex C*; 3 bottles of *Cataplex A and C*; 2 packages of *Cataplex E*; 3 packages of *Cataplex F*; 4 bottles of *Cataplex G*; and 2 packages of *Minaplex*, at New York, N. Y., stored to the account of D. H. Urbanik, together with 25 printed forms reading, in part, "Deficiency Examination Questionnaire" and a mimeographed booklet entitled "Youth and Vitality Diet Class Notes," which accompanied the articles.

LABEL IN PART: (Bottle) "Catalyn V-P 710 * * * Concentrates From Alfalfa, Carrot, Beef and Fish Liver Lipoids, Yeast, Wheat Germ, Rice Bran, Liver, Mushroom, Green Peas (Whole Plant), Biologically Processed Corn * * * 120 Tablets"; (package) "Cataplex A Vitamin A Complex * * * Concentrates of Vitamin Factors from Alfalfa, Carrot, Beef Kidney, and Fish Liver Lipoids * * * 120 Tablets"; (bottle) "Cataplex C Vitamin C * * * Contains 100 U. S. P. Units of Vitamin C per Tablet with Naturally

Associated Factors from Alfalfa, Mushroom, and Bone Marrow * * * 120 Tablets"; (bottle) "Cataplex A and C Vitamin A & C * * * Each Tablet Contains 750 U. S. P. Units of Vitamin A and 100 U. S. P. Units of Vitamin C with naturally associated vitamin and enzyme factors from alfalfa, carrot, mushroom, bone marrow, beef kidney, and fresh liver lipoids * * * 120 Tablets"; (package) "Cataplex E Vitamin E * * * Concentrate of vitamin factors from the juice of green peas (whole plant) and natural mixed tocopherols (vitamin E) obtained from vegetable oils * * * 120 Tablets"; (package) "Cataplex F Vitamin F * * * Derived from essential unsaturated fatty acids, arachidonic, linolenic, linoleic from flax and beef lipoids. Each tablet contains 5 milligrams of organically combined iodine * * * 120 Tablets"; (bottle) "Cataplex G Vitamin G * * * Content of vitamin factors legally considered as necessary to human nutrition: Riboflavin 1 Mg. niacin 5 Mg. one-third daily requirement per tablet, for adults. With synergists, and extracts from yeast, sprouted grain, and calf brain * * * 120 Tablets"; and (package) "Minaplex * * * Organic Mineral Tablets Contains Colloidal Minerals of sea lettuce (Dulse) and alfalfa * * * 120 Tablets."

NATURE OF CHARGE: Misbranding (the articles were misbranded while held for sale after shipment in interstate commerce), Section 502 (a), certain statements in the questionnaire were false and misleading since they represented and suggested that the articles were effective in the treatment of the following diseases and conditions, whereas the articles were not so effective:

Catalyn.—Tiredness, insomnia, digestive distress after meals, intestinal gas, tendency to develop gastric ulcers, constipation, underweight, swollen ankles, dislocated joints, arch trouble, restless sleep, weakness in hot weather, eczema, allergies, gall bladder trouble, susceptibility to colds, cold sores, canker sores, cystitis, irritation in urinary tract, sensitivity to bright light, irritated eyes, nervousness, brittle nails, sexual impotence, falling hair, tendency to prostate trouble, menstrual dysfunction, menopausal disorders, albuminuria, glycosuria, fast pulse, slow pulse, high blood pressure, low blood pressure, chronic subnormal temperature, arrhythmia, fibrillation, anemia, pain in heart region, and heart beating with disturbing force after retiring.

Cataplex A.—Intestinal gas, swollen ankles, allergic susceptibilities, gall bladder trouble, susceptibility to colds, cold sores, canker sores, cystitis, irritation in urinary tract, sensitivity to bright light, irritated eyes, nervousness, sexual impotence, albuminuria, glycosuria, and high blood pressure.

Cataplex C.—Easy tiring, insomnia, intestinal gas, underweight, swollen ankles, dislocated joints, arch trouble, weakness in hot weather, susceptibility to eczema, allergic susceptibility, susceptibility to colds, cold sores, canker sores, cystitis, irritation in urinary tract, sensitivity to bright light, irritated eyes, nervousness, tendency to prostate trouble, menstrual dysfunction, menopausal disorders, albuminuria, fast pulse, slow pulse, high blood pressure, low blood pressure, chronic subnormal temperature, arrhythmia, fibrillation, tendency to anemia, tendency to pain in the heart region on exercise, and heart beating with disturbing force after retiring.

Cataplex E.—Easy tiring, digestive distress after meals, tendency to develop gastric ulcers, dislocated joints, arch trouble, susceptibility to eczema, sexual impotence, and menstrual dysfunction.

Cataplex F.—Easy tiring, digestive distress after meals, tendency to develop gastric ulcers, weakness in hot weather, susceptibility to eczema, allergic susceptibilities, gall bladder trouble, cold sores, canker sores, cystitis, infections of urinary tract, sensitivity to bright light, irritated eyes, easily broken nails,

falling hair, sexual impotence, tendency to prostate trouble, menopausal disorders, albuminuria, glycosuria, high pulse rate, low pulse rate, high blood pressure, and chronic subnormal temperature.

Cataplex G.—Tendency to insomnia, gastric distress after meals, intestinal gas, tendency to develop gastric ulcers, swollen ankles, allergic susceptibilities, nervousness, easily broken nails, glycosuria, high pulse rate, high blood pressure, arrhythmia, fibrillation, tendency to pain in heart region on exercising, and heart beating with disturbing force after retiring.

Minaplex.—Constipation, dislocated joints, arch trouble, allergic susceptibilities, cold sores, canker sores, high pulse rate, high blood pressure, and heart beating with disturbing force after retiring.

Further misbranding, Section 502 (a), certain statements in the booklet were false and misleading since they suggested that the articles would be effective in the prevention and treatment of the following conditions, whereas the article would not be effective for such purposes:

All articles.—Congestion of nose, throat, chest, catarrhal conditions anywhere in the body, sinus trouble, bronchitis, asthma, colitis, arthritis, acne, eczema, hives, pimples, skin eruptions, misplaced organs, loss of muscular tone, general debility, premature aging, and declined vigor and function.

Cataplex A.—Kidney stones, bladder stones, and gall stones.

Cataplex C.—Aging and brittle arteries, aging tissues, degeneration, poor development of bones and teeth, pyorrhea, unhealthy gum tissues, unhealed wounds, susceptibility to infections, and weakened capillaries.

Cataplex A and C.—Stomach ulcers, infections of intestinal tract, colitis, and ulcerations in any part of the intestinal tract.

Cataplex E.—Cancer and unhealthy sex organs.

Cataplex F.—Dry skin and anemia.

Cataplex G.—Aging tissues and cells.

Further misbranding, Section 502 (f) (1), the labeling of the articles failed to bear adequate directions for use for the conditions for which they were recommended by Helen Houston and D. H. Urbanik, their distributors, at New York, N. Y., between April 8 and 12, 1949.

DISPOSITION: July 22, 1949. Default decree of condemnation and destruction.

2915. Misbranding of Super Potency Ferro-Plus Liver, Iron, and Vitamin B Complex Capsules, Lackzoom's Garlic & Parsley Capsules in Cold Pressed Wheat Germ Oil, Lackzoom Pure Soybean Lecithin Capsules, Wheat Germ Oil Capsules, Amo-Tabs Amino Acid Tablets (Special Tablets), Lackzoom's "Supreme-A" Food Supplement Capsules, Lackzoom's Super C Tablets, Lackzoom's New Blue Label Hi-B Complex Tablets and Special Capsules. U. S. v. 142 Bottles, etc. (F. D. C. No. 27004. Sample Nos. 46655-K to 46662-K, Incl.)

LIBEL FILED: April 19, 1949, Western District of Pennsylvania.

ALLEGED SHIPMENT: The Savoy Drug & Chemical Co. shipped on or about August 24, 1948, from Chicago, Ill., a number of tablets in bulk which were labeled "Special Tablets * * * Yeast Amino Acids," a portion of which were repacked after receipt in Pittsburgh, Pa., into bottles labeled "Amo-Tabs Amino Acid Tablets."

The Strong, Cobb & Co., Inc., shipped on or about September 3, 1948, from Cleveland, Ohio, a number of tablets in bulk which were labeled "Special Capsules," a portion of which were repacked into bottles labeled "Tablets Lackzoom's New Blue Label Hi-B Complex."