

graine headaches, and neuritic pains; that water treated with the device would be efficacious in the cure, mitigation, and treatment of a nervous stomach, and in the prevention of diseases, including colds; that water treated with the device would tend to normalize the digestive organs and enable the organs to extract more nourishment, especially the various vitamins and minerals, from food; that water treated with the device would enable the body to assimilate more vitamin A from food and thereby build resistance to infections, increase vitality, and improve eyesight; that water treated with the device would have a salutary effect upon the nervous system and would enable the body to absorb more vitamin B₁ from the food, resulting in a more invigorated feeling, better appetite, and the relief of many nervous disorders; that liquids treated with the device would enable one to make use of, and benefit from, the vitamins in food to a much greater extent; that the device when used in conjunction with water treated with the device, would be efficacious for the alleviation of pains, the correction of varicose veins, and the removal of goiters; that water treated with the device would be efficacious in overcoming food allergy and would improve one's digestive organs; that the device when used in conjunction with water treated with the device, would be efficacious in the cure, mitigation, and treatment of adhesion pains, anemia, arthritis pains, asthma, blood pressure, bruises, burns, catarrh, colitis, constipation not due to intestinal obstruction, cuts, diabetes, eczema, enuresis (bed wetting), gastritis, goiters, hay fever, head colds, indigestion, insomnia due to nervousness, migraine headaches, neuralgia, neuritis, neurasthenia, nerve pains due to amputation, nervous stomach (neuroses of stomach), rheumatism, scalds, sciatica caused by poisons in the system, sinusitis, stomach gas, stomach ulcers, tonsillitis, toxemia, and varicose veins; and that water treated with the device would be efficacious in the cure, mitigation, and treatment of athlete's foot, dandruff, and falling hair; and that the device when used in conjunction with water treated with the device, would be efficacious in the treatment of shaking palsy.

DISPOSITION: A plea of not guilty having been entered, the case came up for trial before the court on December 29, 1949. The trial was concluded on December 31, 1949, and the defendant was found guilty. On June 6, 1950, the court imposed a fine of \$100.

DRUGS FOR VETERINARY USE

3159. Adulteration and misbranding of Eureka Poultry Mixture. U. S. v. 34 Packages, etc. (F. D. C. No. 29083. Sample No. 54430-K.)

LIBEL FILED: April 27, 1950, Southern District of Mississippi.

ALLEGED SHIPMENT: On or about February 16, 1950, by the Eureka Poultry Food Mfg. Co., from East St. Louis, Ill.

PRODUCT: 34 packages of *Eureka Poultry Mixture* at Smithdale, Miss., together with a number of circulars entitled "Don't Depend On Luck." Examination showed that the product contained less than the stated amounts of calcium, iron oxide, and phosphorus, and that it was short weight.

LABEL, IN PART: (Package) "Eureka Poultry Mixture * * * Not less than 74% Calcium, Not less than 10% Iron Oxide, Not less than .5% Phosphorus * * * Net Weight 1 Pound 12 Ounces."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it was represented to possess.

Misbranding, Section 502 (a), certain statements in the above-mentioned circulars were false and misleading since the article when used as directed was

not effective for the purposes represented. The statements represented and suggested that the article when used as directed was effective to save little chicks and to help protect them from gapes and worms; that the article when used as directed was effective as a treatment of cholera and roup of hens, as a chicken tonic, and as a remedy and medicine for chickens; that the article when used as directed was effective in the prevention and treatment of white diarrhea of chicks; and that the article when used as directed was effective to help hens lay more eggs in winter, to protect fowls from disease, and to keep them free from lice and mites. Further misbranding, Section 502 (b) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: June 28, 1950. Default decree of condemnation and destruction.

3160. Misbranding of The Ball Solution. U. S. v. 25 Bottles * * *. F. D. C. No. 28728. Sample No. 1291-K.)

LABEL FILED: February 20, 1950, Southern District of Florida.

ALLEGED SHIPMENT: On or about January 11, 1950, by the Timball Liniment Co., from Arcadia, Calif.

PRODUCT: 25 1-pint bottles of *The Ball Solution* at Hialeah, Fla.

LABEL, IN PART: "The Ball Solution * * * Veterinary * * * Contains: Alcohol 57.1%, Iodine, Potassium Iodide, Menthol, Eucalyptol, Methyl Salicylate, Oil of Peppermint."

NATURE OF CHARGE: Misbranding, Section 502 (a), the following label statements were false and misleading since the article was not effective in the prevention and treatment of the disease conditions of horses, stated and implied: "* * * Good for Bad Legs * * * apply two or three times a week in conditions such as: Buck Shins, Big Knee, Sprains, Swelling and Lameness * * * Osslets * * * Splints, Ringbone * * *."

DISPOSITION: June 8, 1950. Default decree of forfeiture and destruction.

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PRODUCTS

| | N. J. No. | | N. J. No. |
|--|--|---|-------------------|
| A-Vee..... | 3152 | Ferguson's Zerret Applicator.... | ¹ 3157 |
| Arthritis, remedy for..... | 3154, 3155 | First aid kits..... | 3141 |
| Ball Solution..... | 3160 | Gramer's Sulgly-Minol..... | 3154, 3155 |
| Benadryl Capsules..... | 3142 | Hair and scalp preparation..... | 3156 |
| Bible Way Anointing Oil and Bible Way Tonic..... | 3147 | Hydrogen peroxide..... | 3153 |
| Castor oil..... | 3150, 3151 | Inhalator, Sun-O-Ray..... | 3148 |
| Cosmetic (subject to the drug provisions of the Act)..... | 3156 | McLaran's 3 out of 5..... | 3156 |
| Devices..... | 3148, 3149, ¹ 3157, ¹ 3158 | Nembutal capsules..... | 3142 |
| Dexedrine sulfate tablets..... | 3142, 3143, 3146 | Ointment, tannic acid-sulfadiazine..... | 3141 |
| Dextro-amphetamine phosphate tablets..... | 3143 | Pentobarbital sodium capsules... | 3144 |
| Drug capsules (unlabeled)..... | 3147 | Pol-Izer..... | ¹ 3158 |
| Eureka Poultry Mixture..... | 3159 | Rheumatism, remedy for..... | 3154, 3155 |
| | | Seconal sodium capsules..... | 3142-3144 |
| | | Spectro-Chrome device..... | 3149 |
| | | Sulfadiazine tablets.... | 3141, 3143-3145 |

¹ (3157, 3158) Prosecution contested.