

LABEL IN PART: (Pkg.) "Nutralite XX [or "X"] Food Supplement This package contains multiple vitamin capsules and mineral tablets for use as a dietary food supplement to fortify, or supplement, the diet."

CHARGE: 502 (f) (1)—the labeling of the article failed to bear adequate directions for use in the treatment of the diseases, symptoms, and conditions for which the article was intended, namely, diabetes, cancer, multiple sclerosis, malignancy, hardening of the arteries, low blood pressure, arthritis, Parkinson's disease, anemia, ulcers, eczema, and cataracts.

PLEA: Guilty.

DISPOSITION: 5-2-57. Suspended sentence of \$100 fine or 30 days.

5310. Nutralite food supplement. (F. D. C. No. 40145. S. No. 33-807 M.)

INFORMATION FILED: 8-22-57, W. Dist. Mo., against Floyd W. Raulie, Kansas City, Mo.

ALLEGED VIOLATION: On 11-12-56, the defendant, in the course of a sales talk, made oral representations that the article was an effective treatment for the diseases, symptoms, and conditions set forth below, which act resulted in the article being misbranded while held for sale.

LABEL IN PART: (Pkg.) "Nutralite Food Supplement This package contains multiple vitamin capsules and mineral tablets for use as a dietary food supplement."

CHARGE: 502 (f) (1)—the labeling of the article failed to bear adequate directions for use in the treatment of the diseases, symptoms, and conditions for which the article was intended, namely, colds, ulcers, arthritis, rheumatism, migraine headaches, high blood pressure, and Buerger's disease.

PLEA: Guilty.

DISPOSITION: 11-1-57. \$25 fine.

5311. Vitamin and mineral preparations. (F. D. C. No. 39169. S. No. 42-544 M.)

QUANTITY: 1 drum containing 49,750 tablets at Laramie, Wyo.

SHIPPED: 6-18-56, from San Martin, Calif., by A. O. Zink.

LABEL IN PART: "Therapeutic Nutritional Mineral and Vitamins * * * Material Supplied By A. O. Zink * * * Control #402555."

LIBELED: 8-8-56, Dist. Wyo.

CHARGE: 502 (f) (1)—when shipped, the article was represented for therapeutic use, and its label failed to bear adequate directions for that use.

DISPOSITION: 10-9-57. Default—destruction.

5312. Home vibrator, wheat germ oil, Ver-A-Loe ointment, Papaya Rica, and Kuba Kup. (F. D. C. No. 39845. S. Nos. 21-218 M, 57-974/7 M, 57-979 M.)

INFORMATION FILED: 7-23-57, W. Dist. Mo., against Lloyd C. Shanklin, t/a Harmony Health Foods & Juices, Kansas City, Mo.

ALLEGED VIOLATION: Between 8-20-56 and 8-22-56, the defendant made oral representations regarding the purposes, conditions, and diseases for which the articles were intended and caused a book entitled "Chemical Types of People and Their Foods" to accompany the *Ver-A-Loe ointment*, *Papaya Rica*, and *Kuba Kup* as labeling, which acts resulted in the articles being misbranded while held for sale.

LABEL IN PART: "Model E Home Vibrator," "Wheat Germ Oil Hormones As found in Wheat," "Ver-A-Loe Ointment * * * Contains Aloe-plant substance * * * in a Petrolatum base," "Papaya Rica Made from fresh papayas * * * Contains the pulp and juice, inverted papaya syrup, honey, citric acid, lemon juice and natural flavor," and "Kuba Kup * * * Contents Papaya Juice Pine-apple Juice Sugar and Lime Juice."

CHARGE: 502 (a)—the above-mentioned book accompanying the *Ver-A-Loe ointment*, *Papaya Rica*, and *Kuba Kup*, while such articles were held for sale, contained false and misleading representations that the *Ver-A-Loe ointment* was an adequate and effective treatment for stomach disorders, indigestion, gastritis, ulcers, piles and hemorrhoids, fistulas, tumors, cancer, kidney troubles, cataract, arthritis, external ulcers, stomach ulcers, colitis, diabetes, burns, bruises, sprains, boils, swelling of the joints, eczema, and athlete's foot, and that the *Papaya Rica* and *Kuba Kup* were adequate and effective treatments for stomach disorders, indigestion, gastritis, ulcers, kidney troubles, stomach ulcers, colitis, and eczema.

502 (f) (1)—the labeling of all of the articles failed to bear adequate directions for use for the purposes, conditions, and diseases for which they were intended, namely, (home vibrator) heart trouble, rheumatism, neuritis, constipation, arthritis, gallstones, gallbladder trouble, spleen and pancreas trouble, kidney trouble, headaches, and sinus trouble; (wheat germ oil) heart trouble and improving the functions of the male and female regenerative organs and glands; (*Ver-A-Loe ointment*) bursitis, hemorrhoids, heart conditions, and burns; (*Papaya Rica*) bursitis, headache, toothache, diabetes, and to build up the heart; and (*Kuba Kup*) bursitis and to build up the heart.

PLEA: Not guilty.

DISPOSITION: The case came on for trial before the court and jury on 10-8-57, and was concluded on the same day, with the return by the jury of a verdict of guilty.

On 10-11-57, the court sentenced the defendant to serve 1 year in jail and placed him on probation for 2 years, which was to begin at the end of the imprisonment.

5313. Micro-Dynameter device. (F. D. C. No. 36854. S. No. 87-417 L.)

QUANTITY: 1 device at Mount Vernon, Wash.

SHIPPED: 2-21-52, from Chicago, Ill., by Ellis Research Laboratories, Inc.

LABEL IN PART: "Model SA-1 Micro-Dynameter."

ACCOMPANYING LABELING: Bulletins and pamphlets entitled "Supplement to Micro-Dynameter Handbook Drugs," "Bulletin T-2 Operating Instructions Model "S" Micro-Dynameter," "New Science in Body Analysis The Micro-Dynameter," "Supplement Micro-Dynamics * * * Opinions . . . Statements . . . Clinical Notes * * * The main object," "Bulletin of the Micro-Dynameter * * * New Device Detects Hidden Disease," "Bulletin of Micro-Dynameter Research Association Devoted to Scientific Body Analysis No. 2-S," "Bulletin of Micro-Dynameter Research Association Devoted to Scientific Body Analysis No. 8, September 1946," "Bulletin of Micro-Dynameter Research Association For Improving Clinical Results No. 1 * * * June 1951," "Bulletin of Micro-Dynameter Research Association For Improving Clinical Results No. 7," "Bulletin of Ellis Research Laboratories, Inc. The Micro-Dynameter No. M-3 September 1946," "Bulletin of Ellis Research Laboratories, Inc. The Micro-Dynameter No. 11. September 1950," "Bulletin of Ellis Research Lab-