

RESULTS OF INVESTIGATION: The article was shipped in unlabeled bottles as described above, and after receipt at St. Joseph, Mo., was labeled by the dealer.

LIBELED: On or about 3-16-61, W. Dist. Mo.

CHARGE: 502(f) (1)—while held for sale, the labeling of the article failed to bear adequate directions for use and it was not exempt from such requirement since it was a prescription drug labeled for human use and it was not in the possession of a person or firm regularly and lawfully engaged in the manufacture, transportation, storage, or wholesale distribution of prescription drugs for human use.

DISPOSITION: 5-5-61. Default—destruction.

6554. Figurette protein tablets. (F.D.C. No. 43950. S. No. 56-630 P.)

QUANTITY: 10 cases, 12 btls. each (5 cases of which contained mint-flavored tablets and 5 cases, cherry-flavored tablets), at Atlanta, Ga., in the possession of Figurette, Inc.

SHIPPED: 4-7-59, from Cleveland, Ohio, by Don Saunders, t/a Destiny Enterprises.

LABEL IN PART: "Figurette Protein 200 Tablets Mint Flavor [or "Cherry Flavor"] Distributed by Destiny Enterprises, 708 Frankfort Ave., Cleveland, Ohio Each tablet contains 76% Protein from Soya in readily digestible form. 16% Carbohydrate (Glucose) Glycerin, Tricalcium Phosphate, Magnesium Stearate and Bentonite and Sweetened with 6.5 Mg. Cyclamate Sodium and 0.65 mg. Saccharin Sodium * * * 3 calories per tablet."

LIBELED: 12-4-59, N. Dist. Ga.

CHARGE: 502(a)—when shipped, the labeling contained false and misleading representations that the article, by supplying protein, was an excellent source of energy and was an essential factor in tissue repair and maintenance of nitrogen balance, that the article was an effective weight reducing aid in "slenderizing studios," and that the article was an effective appetite appeaser; and 502(f) (1)—while held for sale, the labeling failed to bear adequate directions for use for the purposes for which it was intended, namely, in building up healthy muscles, burning up fat, and reducing weight without need of a special reducing diet, which representations were made orally by a sales representative of the dealer firm.

DISPOSITION: On 1-11-60, Destiny Enterprises, Inc., filed a claim to the article and an answer denying that the article was misbranded. The Government served written interrogatories on the claimant. The claimant failed to file answers to the written interrogatories and the court, upon the motion of the Government, rendered a judgment of condemnation by default on 2-23-61, together with an order directing the destruction of the article.

6555. Trapper's Herbal Preparations. (F.D.C. No. 45335. S. Nos. 44-296/7 R, 44-299/300 R.)

QUANTITY: 30 15-gram pkgs. and 53 4-gram pkgs. of *Formula #1*; 22 1-oz. vials of *Formula #3* and 27 1-oz. vials of *Formula #4*, at Spokane, Wash.

SHIPPED: Between the approximate dates of 6-1-60 and 6-15-60, from Boise, Idaho, by Baker's International Distributors.

LABEL IN PART: (Pkg.) "Trapper's Herbal Preparation Formula No. 1 * * *
Manufactured & packed by Cecil J. Cardwell Trapper's Laboratory-921

Leadville-Boise, Idaho Bakers-International Distributors of Trapper's Herb Products, P.O. Box 736, Boise, Idaho" and (vial) "Trapper's Herbal Ointment Formula No. 3 * * * Ingredients: Carbolated Petroleum Jelly [or "Amber Petrolatum"] * * * Marigold Flowers, Balsam Pitch, Turpentine, Mullen, Bees Wax, Cedar Berries" and "Trapper's Herbal Ointment Formula No. 4 * * * Active Ingredients: Carbolated Petroleum Jelly * * * Marigold Flowers, Balsam Pitch, Turpentine, Mullen, Bees Wax, Cedar Berries."

ACCOMPANYING LABELING: Leaflets and folders entitled "Trapper's Herbal Preparations" and folders entitled "Trapper's Herb Products."

LIBELED: 1-17-61, E. Dist. Wash.

CHARGE: 502(a)—when shipped, the labeling of the articles contained false and misleading representations that the *Formula #1* was adequate and effective as a treatment for sinus, sinus headache, colds, nasal drip, and congested nasal passages, hay fever and asthma; that the *Formula #3* was an adequate and effective treatment for hard-to-heal sores, bed sores, cold sores, externally caused skin irritation such as eczema, and chapped or detergent burns, hemorrhoids, dryness and sores of nasal passages, and that the *Formula #3* would "help nature rebuild diseased tissues"; and that the *Formula #4* was an adequate and effective treatment for burns, scalds, sunburn, cuts, abrasions, poison oak, detergent burns of the hands and arms, chapped skin and lips, eczema, poison ivy, and that the *Formula #4* would "help nature rebuild diseased tissues"; and 502(f)(2)—the labeling of the *Formula #3* failed to bear a warning that in case of rectal bleeding, a physician should be consulted promptly.

DISPOSITION: 3-22-61. Default—destruction.

6556. Mineralpar tablets. (F.D.C. No. 45463. S. No. 50-209 R.)

QUANTITY: 1 unlabeled ctn. containing 10,000 tablets, and 15 labeled boxes each containing 125 tablets, at Denver, Colo., in possession of A. W. Blaine; and 50 lbs. of bulk raw humus and 20,000 unlabeled tablets, at Denver, Colo., in possession of Larre Laboratories, Inc.

SHIPPED: The article "*Mineralpar*" was prepared by the dealer, A. W. Blaine, from bulk humus which he personally dug in July 1958, from the soil, on land located at Panaca, Lincoln County, Nev. The material was then transported by the dealer to Denver, Colo., where it was pulverized. The pulverized material was delivered by the dealer to Larre Laboratories, Inc., where it was formed into tablets. A number of the tablets were carried by the dealer in bulk drums to his residence in Denver, Colo., where he placed the tablets in boxes.

LABEL IN PART: (Box) "Approximately 7 Grain Each * * * MINERALPAR Made By Nature Contains a natural Mineral taken from a natural concentrated mineral deposit. Analysis shows it to be a complex association of Humus matter combined with silicates of Calcium, Potassium, Sodium and Alumina, probably resulting from the decomposition of organic substances such as Chlorophyl and other vegetable compounds. * * * Distributed by Mineralpar Box 53 Cheyenne, Wyoming * * * sold only as a Mineral Supplement To Your Diet."

ACCOMPANYING LABELING: Leaflets entitled "How to Use Mineralpar" and "For All-Around Health Protection"; pamphlets entitled "Modern Miracle Men"; an undetermined number of "*Mineralpar*" labels and labeled retail boxes; and a number of copies of customer-signed invoices, given to customers