

21559. Misbranding of Texas Mineral Crystals. U. S. v. 70 Boxes, et al., of Texas Mineral Crystals. Decrees of destruction entered. (F. & D. nos. 30708, 30775, 30776. Samples nos. 42786-A, 42787-A, 57456-A.)

Examination of samples of Texas Mineral Crystals disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the carton label and in a circular shipped with the article.

On July 10 and July 28, 1933, the United States attorney for the Western District of Missouri, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 136 boxes of Texas Mineral Crystals at Kansas City, Mo., alleging that the article had been shipped in interstate commerce in part on or about June 8, 1933, by the Walgreen Co., from Chicago, Ill., and in part on or about June 10 and July 3, 1933, by the Dollar Crystal Co., from Omaha, Nebr., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of crystallized sodium sulphate with small proportions of magnesium sulphate and sodium chloride.

It was alleged in the libels that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the article, appearing in the labeling, were false and fraudulent: (Circular, one lot) "Constipation * * * Promote eliminative Processes * * * Repeat daily until elimination becomes regular. Rheumatism—Take a little more than $\frac{1}{2}$ teaspoon of Texas Crystals in a large glass of water (preferably hot) half hour before breakfast. Repeat this 2 or 3 times a week. Put one full teaspoon into quart of water and drink during the day (preferably cold). Colds", (carton, all lots) "Health is Wealth", (circular, all lots) "Rheumatism. Repeat each morning until system is free from poisons. * * * It will cleanse the intestines promptly, clear the blood stream of poisons and neutralize acidity; it will * * * assist the liver and kidney to resume their normal functions, thus keeping the system in a healthy condition and defeating many of the most common ills of life. Rheumatism, auto-intoxication, Gastro-intestinal troubles, rebellious skin diseases, neuritis, high blood pressure, etc., resist the best therapeutic endeavors until the organs of elimination are caused to function efficiently."

The Dollar Crystal Co., Omaha, Nebr., filed a claim for 70 packages of the product admitting the allegations of the libel and consenting to the entry of a decree. On August 3, 1933, a decree of condemnation was entered against the said 70 packages containing a provision that the product might be taken down under bond to be properly labeled. The claimant, however, consented to the destruction of the product in this case and defaulted in the remaining cases. On September 25, October 25, and November 18, 1933, decrees were entered on all cases ordering the product destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

21560. Misbranding of Epsom Salt Tablets Compound. U. S. v. 521 Bottles of Epsom Salt Tablets Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30890. Sample no. 42984-A.)

This case involved a product labeled to convey the impression that Epsom salt was its effective ingredient. Examination showed that each tablet contained approximately one-half grain of phenolphthalein, a tasteless drug which, with the aloin also present, would produce the principal therapeutic effect of the article. The two tablets recommended as a dose contained insufficient Epsom salt to have any appreciable laxative effect. The labeling also conveyed the misleading impression that the product was manufactured by the firm that had it on sale.

On August 10, 1933, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 521 bottles of Epsom Salt Tablets Compound at Scranton, Pa., alleging that the article had been shipped in interstate commerce on or about August 18, 1932, by the Devore Manufacturing Co., from Columbus, Ohio, and charging misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by this Department showed that it consisted essentially of phenolphthalein (0.54 grain per tablet), magnesium sulphate (Epsom salt, 4.5 grains per tablet), aloin, calcium carbonate, starch, and sugar.