

**21562. Adulteration and misbranding of Epsom salt tablets. U. S. v. 35,000 Epsom Salt Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30710. Sample no. 42925-A.)**

This case involved a product described as Epsom salt tablets. Analysis showed that each tablet contained nearly one-half grain of phenolphthalein, which would be responsible for its therapeutic effect, rather than the Epsom salt present.

On July 13, 1933, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 35,000 Epsom salt tablets at New York, N.Y., consigned in interstate commerce from Worcester, Mass., into the State of New York, alleging that the article had been shipped on or about November 10, 1932, by Brewer & Co., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Brewer & Company, Inc., Worcester, Mass." and was invoiced as "Epsom Salt Tablets Spec."

Analysis of a sample of the article by this Department showed that it consisted essentially of 0.45 grain of phenolphthalein and 5.66 grains of Epsom salt per tablet.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard or quality under which it was sold, namely, "Epsom Salt Tablets."

Misbranding was alleged for the reason that the article was an imitation of and was offered for sale under the name of another article.

On August 16, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

**21563. Misbranding of Yerbavida. U. S. v. 30 Packages of Yerbavida. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30749. Sample no. 38150-A.)**

Examination of the drug product involved in this case disclosed that it contained no ingredient capable of producing certain curative and therapeutic effects claimed in the labeling.

On July 20, 1933, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 30 packages of Yerbavida at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about May 12, 1933, by the Yerbavida Co., from Los Angeles, Calif., 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 of *Ephedra californica*.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects, appearing on the package label and in a circular accompanying the article, were false and fraudulent; (Package) "Drink Your Way to Health \* \* \* 'The Herb of Life' \* \* \* Vitality! Youth! Beauty! Should begin to get results in 10 to 30 days. \* \* \* Effects should be noticed in case of stomach trouble the second day after using. \* \* \* It is especially beneficial in the treatment of kidney, bladder and stomach disorders, and their accompanying ailments. For sound, refreshing sleep. \* \* \* Glands Must Be Fresh and Active The Endocrine Glands are the Alchemists which transmute chemical elements into physical stamina and mental power. The vital organs must be supplied with the all-important glandular hormones. Premature old age, disease, low vitality, fatigue—are the result of endocrine glands that have become sluggish. If you are showing signs of old age; if you are losing your buoyancy—your charm—personality—your manly vigor or your feminine magnetism—Begin To Drink Yerbavida! Prolonged acidity results in stomach, liver and bladder disorders—inflammation—ulcers \* \* \* headaches \* \* \* uric acid in the blood \* \* \* constipation \* \* \* and general fatigue, The Endocrine Glands cease to function properly and thus comes bodily decay and premature old age", (circular) "Vitality \* \* \* Youth Beauty \* \* \* The several thousand diseases of mankind may be reduced to either of two conditions—excessive acidity, or extreme alkalinity. \* \* \* to counteract excessive acidity in the blood, and to aid Nature in restoring the balance in a natural manner. It is said that prolonged acidity results in 97% of the ills