

25816. Misbranding of Dismuke's Famous Mineral Crystals. U. S. v. Famous Mineral Wells Water Co., a corporation, Ed E. Dismuke, and Leon Dismuke. Pleas of guilty. Fine, \$100. (F. & D. no. 33804. Sample no. 41121-A.)

False and fraudulent curative and therapeutic claims were made for this article and its label bore an erroneous statement that it was the total dissolved mineral contents of a certain water.

On March 27, 1935, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Famous Mineral Wells Water Co., a corporation, Ed E. Dismuke, and Leon Dismuke, Mineral Wells, Tex., alleging shipment by them in violation of the Food and Drugs Act as amended, on or about August 28, 1933, from Mineral Wells, Tex., to Sioux City, Iowa, of quantities of Dismuke's Famous Mineral Crystals which were misbranded. The article was labeled in part: (Boxes) "Dismuke's Famous Mineral Crystals Made by Open Kettle Evaporation of the Natural Mineral Water Famous Mineral Water Co. Mineral Wells, Texas".

Analysis showed that the product consisted essentially of sodium sulphate crystals together with a small amount of magnesium sulphate.

Misbranding of the article was charged in that there were contained in a circular enclosed in the packages statements regarding the therapeutic and curative effects of the article; that the said statements were false and fraudulent representations that the article was effective, among other things, as a treatment, remedy, and cure for indigestion, auto-intoxication, bad complexion, stomach trouble, rheumatism, excess weight, ailments of man, constipation and its accompanying ills, high blood pressure, kidney trouble, arthritis, neuritis, diabetes, nervous indigestion, and liver and bladder trouble; effective as a treatment for each person's ailment; effective to give proper elimination; and effective to promote good health.

Misbranding was further charged in that there were borne on the carton and contained in a circular enclosed in the carton certain statements that represented that the article consisted of the total dissolved mineral contents of Famous Mineral Water, and that by addition of water to the crystals the mineral water was reconstituted; that the said article was not the total dissolved mineral contents of Famous Mineral Wells; that it was impure sodium sulphate or Glauber's salt, and that the addition of water to it produced only a sodium sulphate or a Glauber's salt solution; that the aforesaid statements borne on the carton and contained in the circular were false and misleading.

On April 28, 1936, plea of guilty having been entered, a fine of \$100 was imposed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25817. Adulteration of Elixir Quinine, Iron & Strychnine E. D. C., Compressed Tablets Strychnine Sulphate 1/30 Grain, Compressed Tablets Strychnine Sulphate 1/40 Grain, Compressed Tablets Migraine, and Compressed Tablets Acetanilide & Salol; misbranding of Compressed Tablets Antiseptic (Gumston) and Compressed Tablets Acetphenetidin and Salol; and adulteration and misbranding of Compressed Tablets Acid Arsenous. U. S. v. Elmira Drug & Chemical Co., a corporation. Plea of guilty. Fine, \$675. (F. & D. no. 33881. Sample nos. 41925-A, 48533-A, 55586-A, 58631-A, 58636-A, 58642-A, 58646-A, 58647-A, 59036-A.)

One of these articles failed to conform to formulary standard; five of them were inferior to their professed standards, and the labels of these five and of two others bore erroneous statements.

On July 8, 1935, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Elmira Drug & Chemical Co., a corporation, Elmira, N. Y., alleging shipments by said corporation, in violation of the Food and Drugs Act as amended, in the period from April 15 to October 12, 1933, from Elmira, N. Y., to various places in Pennsylvania, of quantities of Elixir Quinine, Iron & Strychnine E. D. C., Compressed Tablets Strychnine Sulphate 1/30 Grain, Compressed Tablets Strychnine Sulphate 1/40 Grain, Compressed Tablets Migraine, Compressed Tablets Acetanilide & Salol, Compressed Tablets Antiseptic (Gumston), Compressed Tablets Acetphenetidin and Salol, and Compressed Tablets Acid Arsenous, some of which were adulterated, others were misbranded, and one was both adulterated and misbranded. The articles were labeled in part: (Jug) "Elixir Quinine, Iron & Strychnine E. D. C. Each fluid ounce represents: Iron & Quinine Citrate 8 grs."; (bottle) "Compressed Tablets Strychnine Sulphate * * * Each Tablet Rep-

resents: 1/30 Grains"; (bottle) "Compressed Tablets Strychnine Sulphate * * * Each Tablet Represents: 1/40 Grains"; (bottle) "Compressed Tablets Migraine Each tablet represents Acetanilid 2 gr. Caffeine Citrate 1-2 gr."; (bottle) "Compressed Tablets Acetanilide & Salol * * * Salol 2-1/2 Grs."; (bottle) "Compressed Tablets Antiseptic (Gumston) * * * Mercury Cyanide 7-1/2 Grs."; (bottle) "Compressed Tablets Acetphenetidin and Salol Each Tablet Represents * * * Salol 2 1-2 gr."; (bottle) "Compressed Tablets Acid Arsenous * * * Acid Arsenous 1/60 Gr."

Analyses showed that the Elixir Quinine, Iron & Strychnine E. D. C. contained not more than 0.25 gram of anhydrous alkaloids per 100 cubic centimeters and no chlorides; that the Compressed Tablets Strychnine Sulphate 1/30 Grain contained not more than 0.027 grain of strychnine sulphate each; that the Compressed Tablets Strychnine Sulphate 1/40 Grain contained not more than 0.021 grain of strychnine sulphate each; that the Compressed Tablets Migraine contained not more than 1.81 grains of acetanilid, and not less than 0.56 grain of caffeine citrate each; that the Compressed Tablets Acetanilide & Salol contained not to exceed 2.21 grains of salol per tablet; that the Compressed Tablets Antiseptic (Gumston) contained not less than 10.03 grains of mercury cyanide each; that the Compressed Tablets Acetphenetidin and Salol contained not more than 2.13 grains of salol each; that the Compressed Tablets Acid Arsenous contained not more than 0.014 grain of arsenous acid each.

The Elixir Quinine, Iron & Strychnine E. D. C. was alleged to be adulterated in that it was sold under a name recognized in the National Formulary and differed from the standard of strength, quality, and purity as determined by the test laid down in the formulary in that (a) it yielded less than the number of grams of anhydrous quinine per 100 cubic centimeters required by the formulary standard; (b) it contained no ferric citrochloride and no quinine hydrochloride; and (c) it contained iron and quinine citrate, an ingredient not provided by the formulary for this product, and the standard of strength and quality of the article was not declared on its container.

The Compressed Tablets Strychnine Sulphate 1/30 Grain were alleged to be adulterated in that their strength and purity fell below the professed standard under which they were sold, in that each tablet contained less than one-thirtieth of a grain of strychnine sulphate, to wit, not more than 0.027 grain, that is, one thirty-seventh of a grain thereof.

The Compressed Tablets Strychnine Sulphate 1/40 Grain were alleged to be adulterated in that their strength and purity fell below the professed standard under which they were sold, in that each tablet contained less than one fortieth of a grain of strychnine sulphate, to wit, not more than 0.021 grain, that is, one-fiftieth of a grain thereof.

The Compressed Tablets Migraine were alleged to be adulterated in that their strength and purity fell below the professed standard under which they were sold, in that each tablet was represented to contain 2 grains of acetanilid and one-half grain of caffeine citrate; whereas each tablet contained not more than 1.81 grains of acetanilid and not less than 0.56 grain of caffeine citrate.

The Compressed Tablets Acetanilide & Salol were alleged to be adulterated in that their strength and purity fell below the professed standard and quality under which they were sold, in that each tablet was represented to contain 2½ grains of salol; whereas each tablet contained not more than 2.21 grains of salol.

The Compressed Tablets Acid Arsenous were alleged to be adulterated in that their strength and purity fell below the professed standard under which they were sold, in that each tablet was represented to contain one-sixtieth of a grain of arsenous acid; whereas each tablet contained not more than 0.014 grain of arsenous acid, that is, one-seventieth of a grain thereof.

The Compressed Tablets Antiseptic (Gumston) were alleged to be misbranded in that the statement on the label, to wit, "Tablets * * * Mercury Cyanide, 7½ Grs.", was false and misleading in that each of said tablets contained not less than 10.03 grains of mercury cyanide.

The Compressed Tablets Acetphenetidin and Salol were alleged to be misbranded in that the statement on the label, to wit, "Compressed Tablets * * * Salol 2½ gr.", was false and misleading in that each of said tablets contained less than that number of grains of salol.

On January 20, 1936, a plea of guilty having been entered, a fine of \$675 was imposed.

W. R. GREGG, *Acting Secretary of Agriculture.*