

1179. Misbranding of Dr. Corley's Alkaline Broth and Dr. Corley's Laxx. U. S. v. Dr. Buren L. Corley (Dr. Corley's Products). Plea of guilty. Fine, \$450. (F. D. C. No. 10540. Sample Nos. 12857-F to 12859-F, incl., 12861-F.)

On September 16, 1943, the United States attorney for the Northern District of California filed an information against Dr. Buren L. Corley, trading as Dr. Corley's Products, San Francisco, Calif., alleging shipment from the State of California into the State of Oregon of a quantity of the above-named products on or about July 7, 1942, and of a quantity of Dr. Corley's Laxx on or about September 12, 1942.

Analysis of Dr. Corley's Alkaline Broth disclosed that the article consisted essentially of plant material including kelp and celery, meat extractive, and sodium chloride; and analysis of another drug, Dr. Corley's Garlic Tablets, showed that it consisted essentially of ground parsley, ground garlic, and probably ground onions, and that it was coated with calcium carbonate and sugar. The Alkaline Broth was alleged to be misbranded because of false and misleading statements appearing in its labeling which represented and suggested that the article would be efficacious as a blood alkalizer and would neutralize or combat body acids, clear acid from the blood, and alkalize the system; that it would be efficacious in the treatment of acid indigestion, anemia, asthma, auto-intoxication, biliousness, colitis, colds, constipation, catarrh, excess perspiration, food disagreements, gas-bloat, general low vitality, gall bladder trouble, high blood pressure, hay fever, heartburn, headaches, liver trouble, muscular aches and pains, nervous indigestion, overweight, poor appetite, rheumatism, skin eruptions, sinus trouble, sour stomach, gastritis, and low blood pressure; that another drug, Dr. Corley's Laxx, would be efficacious to cleanse the intestines thoroughly, like a soft, smooth sponge; and that another drug, Dr. Corley's Garlic Tablets, would be efficacious in the treatment of inflammation of the intestines.

Analysis of Dr. Corley's Laxx disclosed that the article consisted essentially of karaya gum, whole psyllium seed, anise seed, senna leaf fragments, a small proportion of peppermint leaf fragments, a trace of buckthorn bark, and unidentified seeds, stems, and woody material.

A portion of the Laxx was alleged to be misbranded because of false and misleading statements appearing in its labeling which represented and suggested that it would be efficacious to cleanse the intestines thoroughly like a soft, smooth sponge; that it would cure constipation and relieve sluggish intestinal conditions; that it would be efficacious in the cure, mitigation, treatment, or prevention of acid indigestion, anemia, asthma, auto-intoxication, biliousness, colitis, colds, catarrh, excess perspiration, food disagreements, gas-bloat, general low vitality, gall bladder trouble, high blood pressure, hay fever, heartburn, headaches, liver trouble, muscular aches and pains, nervous indigestion, overweight, poor appetite, rheumatism, skin eruptions, sinus trouble, sour stomach, gastritis, and low blood pressure; that another drug, Dr. Corley's Alkaline Broth, would be efficacious as a blood alkalizer and would neutralize or combat body acids, clear acid from the blood and alkalize the system; and that another drug, Dr. Corley's Garlic Tablets, would be efficacious in the treatment of inflammation of the intestines.

The remainder of the Laxx was alleged to be misbranded because of false and misleading statements in its labeling which represented and suggested that it would be efficacious as a cure for constipation and for relieving sluggish intestinal conditions; that it would cleanse the intestines thoroughly, like a soft, smooth sponge; that it would be an efficacious treatment for colitis; that it would assure one of eating and sleeping well; that it would help overcome chronic sluggish conditions of the liver and bowels, help in combatting stubborn cases of intestinal irritation, sweep and cleanse the stomach and intestines, and remove poisonous waste materials; that it would be efficacious in the treatment of asthma, acid indigestion, acne, biliousness, colds, catarrh; excess perspiration, food disagreements causing gas and bloat, general low vitality, gas, headaches, hay fever, muscular pains and aches, nervous indigestion, poor appetite, rheumatism, sluggish liver, sinus trouble, sour stomach, and toxic fatigue; that it was a health product; that it alone or in combination with Dr. Corley's Vitamin Tablets or with Dr. Corley's Alkaline Health Broth, or with both of those products, would constitute an efficacious treatment for swelling of the hands and other joints, soreness and stiffness of the neck and ankle, dizziness, puffed condition of veins of the back of the hands, heart trouble, and poor color in the face; that it would put the body in the condition to regain health by ridding it of its worn-out chemicals, as well as toxic, poisonous substances; that it would cleanse the body and

pave the way so that diet and a health-building program would be able to work effectively toward a speedy recovery; that it would constitute an efficacious treatment for heart trouble, ulcer, kidney disease, high blood pressure, arthritis, excess acid, digestive disturbances, and acidosis; that it would be efficacious against indigestion, acid stomach, nervousness, a tired, worn-out feeling, gastritis, colitis, hemorrhoids (piles), lumbago, neuritis, bronchitis, eczema, and overweight and underweight; that Dr. Corley's Alkalinizing Health Broth would be efficacious in relieving gas, acid, bloating, and various digestive conditions, and would help clear the acid from the blood and help alkalize the system; and that Dr. Corley's Garlic Tablets would be efficacious in the treatment of inflammation of the intestines and various intestinal conditions which often cause high blood pressure.

The Alkaline Broth was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

On November 30, 1943, the defendant entered a plea of guilty and the court imposed a total fine of \$450, distributed as follows: \$300 on the counts involving drugs, and \$150 on the counts involving foods.

1180. Misbranding of Bio-Mineral. U. S. v. 2,000 Bottles of Bio-Mineral. Default decree of destruction. (F. D. C. No. 10067. Sample Nos. 3701-F, 3731-F.)

On or about July 25, 1943, the United States attorney for the Western District of Missouri filed a libel against 2,000 bottles of Bio-Mineral at Kansas City, Mo., alleging that the article, which had been consigned on or about March 31 and May 13, 1943, had been shipped from Detroit, Mich., by the Bio-Mineral Products Co.; and charging that it was misbranded.

Analysis disclosed that the article contained, per teaspoonful, 179 milligrams of calcium, 51 milligrams of iron, and no iodine.

The article was alleged to be misbranded (1) in that the designation "Bio-Mineral," appearing on its label, was false and misleading since the mineral constituents in the article would not produce or maintain life; (2) in that the statements on its label, "Supplemental Minerals to Assist in the Prevention of Nutritional Mineral Deficiencies," and "One-half Teaspoonful (2½ c. c.) twice daily * * * will supply the minimum adult requirements of the essential minerals excepting Calcium," were false and misleading since the article contained no phosphorus, one of the mineral constituents essential in human nutrition and in the prevention of nutritional mineral deficiencies; and (3) in that the following statement on its label: "Purpose of Excess Iron in the Bio-Mineral *The Iron is present in approximately six times the minimum daily adult requirement. The purpose of this excess is to supply Iron in the lower intestines (colon). This Iron, reacting with the gaseous and other obnoxious sulfur bodies, tends to render them insoluble and hence fix these bodies to prevent reabsorption into the system. (*In stating this purpose for the excess Iron present, we are attempting to explain the results so generally attained, without claiming the existence of direct scientific evidence therefor)" was misleading since any combination of iron with sulfur compounds which may be present in the lower intestines would accomplish no useful purpose in the prevention of any disease condition.

On January 11, 1944, no claimant having appeared, judgment was entered ordering that the product be destroyed.

1181. Misbranding of Minra. U. S. v. 141 Packages and 141 Packages of Minra. Consent decree of condemnation and destruction. (F. D. C. No. 5058. Sample Nos. 55430-E, 55431-E.)

On July 8, 1941, the United States attorney for the Western District of Washington filed a libel against 141 4-ounce packages and 141 10-ounce packages of Minra at Seattle, Wash., alleging that the article had been shipped on or about January 30, 1941, from Berkeley, Calif., by the Stayner Corporation; and charging that it was misbranded.

Examination disclosed that the article contained dextrose (approximately 45 percent), citric acid (approximately 28.5 percent), sodium and potassium bicarbonates, phosphates, calcium salts (equivalent to 0.33 percent calcium oxide), iron salts (equivalent to 0.08 percent iron), small amounts of manganese and magnesium compounds, and less than 0.001 percent of copper.

The article was alleged to be misbranded (1) in that the statement on its labels, "Contains: Calcium lactate, monobasic calcium phosphate, citric acid, copper carbonate, iron lactate, magnesium citrate, manganese acetate, potassium