

carefully blended with Peppermint Leaves, Jambul Seed, Jambul Bark, Blueberry Leaves in their natural organic herbal state," "Ferrolene Made With West's Imported Sea Vegetation (Edible Sea Plants) with added Vitamin C (Ascorbic Acid); colored with natural alfalfa, flavored with certified food flavoring," "West's Kalseom is a trade name for a blend of West's Imported Sea Vegetation (Edible Sea Plants) carefully blended with added Bone Calcium Phosphate, Vitamin C (Ascorbic Acid) and Vitamin D (Egerostol)," "FYA Tablets * * * consists of an imported variety of West's Sea Vegetation (Edible Sea Plants) carefully blended with added Vitamin 'A' (Ester) and Vitamin B-1 (Thiamin) and flavored with cinnamon," "West-Lax * * * Consists of an imported variety of West's Sea Vegetation (Edible Sea Plants) naturally laxative, carefully blended with Senna Fruit, ripe fruit of Cassia Fistula and Chinese Rhubarb, flavored with Peppermint Leaves," "West's Vi-Linn (Chocolate Flavored) is a trade name for a blend consisting of Powdered Soy Bean, Natural Brown Sugar, Cocoa, Brewer's Yeast, Wheat Embryo and West's Imported Sea Vegetation (Edible Sea Plants) with added Vitamins A, B-1, C and D," "West's Vi-Linn (Banana Flavored) is a trade name for a blend consisting of Soy Bean, Natural Brown Sugar, Powdered Banana, Blend of Comminuted Pecans, Almonds and Pignolia Nuts, Brewer's Yeast, Wheat Embryo and West's Imported Sea Vegetation (Edible Sea Plants) with added Vitamins A, B-1, C and D," "West's Sodeom is a trade name for a blend of West Imported Sea Vegetation (Edible Sea Plants)," "West's Sea Vegecene (Powder) Consists of West's Imported Sea Vegetation (Edible Sea Plants) selected primarily for their 'mucilaginous' content," "Mar-Glo Tablets is a trade name for a blend consisting of West's Imported Sea Vegetation (Edible Sea Plants) carefully blended with added Brewer's Yeast, also with added Vitamin B-1 (Thiamin Hydrochloride) and Calcium Pantothenate and Para-amino-Benzoic Acid," and "Organically Mineralized-Iodized West-Co Contains Coffee, Barley, Figs, Soya Bean, Bran Carefully blended with West's imported Sea Vegetation (Edible Sea Plants)."

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the articles failed to bear adequate directions for use for the following diseases, symptoms, conditions, and purposes for which the articles were offered in their advertising disseminated and sponsored by and on behalf of their manufacturer or packer: (*Sea Vegetable Tablets*) Swollen limbs, noises in head and ears, angina pectoris, kidney conditions, heart pains, pressure in head, dizziness, and tiredness; (*Sodeom Vitaminized*) sciatica, skin rash, milk leg, bleeding gums, chronic arthritis, sclerosis, and colds; (*West-Aid*) nervousness; (*Sea-Vo-Kra*) high blood pressure, sour stomach, stomach ulcers, and colitis; (*D-X Tablets*) for diabetics and to reduce insulin in proportion to sugar reduction in urine; (*Ferrolene*) rheumatism, low blood pressure, anemia, thyroid, shortness of breath, numbness, liver conditions, poor circulation, and migraine headache; (*Kalseom*) hay fever, asthma, tubercular conditions, varicose veins, lead poisoning, and sinus; (*FYA Tablets*) abdominal spasm, poor memory, menopause, hot flashes, and painful menstruation; (*West-Lax*) purifying the blood, killing bacteria in the blood, and chronic constipation; (*Vi-Linn (Chocolate)*) and (*Vi-Linn (Banana)*) nerve conditions and goitre; (*Sodeom*) arthritis; (*Sea Vegecene*) ulcers, neuritis, arthritis, paralytic stroke, and syphilis; (*Mar-Glo Tablets*) gray hair and neuritis; and (*West-Co*) any hardening condition, angina pectoris, arteriosclerosis, and high blood pressure.

DISPOSITION: Mineralized Foods, Inc., claimant, having petitioned for the removal of the case to the United States District Court for the District of Columbia, an order was entered on July 23, 1946, directing such removal. Thereafter, without admitting the allegations of the libel, the claimant consented to the entry of a decree. On November 7, 1946, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

2010. Misbranding of various drug products. U. S. v. 9 Bottles of Calcium Pantothenate, etc. Decree of condemnation. Products ordered destroyed. (F. D. C. No. 14662. Sample Nos. 81261-F to 81270-F, incl., 81272-F.)

LIBEL FILED: On or about December 30, 1944, Western District of Missouri.

ALLEGED SHIPMENT: From Lynwood, Calif., by the Ryer Dietary Supplements Co., Inc. The products were shipped between the approximate dates of June

10 and December 18, 1944, and a number of booklets entitled "Vitamin Mineral and Glandular Therapy" were shipped on or about February 23, 1944.

PRODUCT: 9 90-tablet bottles of *calcium pantothenate*, 19 60-tablet bottles of *Hy-De Tablets*, 18 bottles, each containing 100 perles, of *vitamin E*, 17 60-capsule bottles of *extract of garlic*, 17 90-tablet bottles of *vitamin A & D*, 15 1-ounce bottles of *ferrous sulfate solution*, 14 180-tablet bottles of *kelp*, 13 300-tablet bottles of *Alfa-Yerba Tea*, 56 100-tablet bottles of *Improved B-Complex Tablets*, 16 90-tablet bottles of *Hy-C Tablets*, and 19 90-tablet bottles of *Sylia-Tron Tablets* at Kansas City, Mo., together with the above-named booklets.

LABEL, IN PART: "Calcium Pantothenate (Gray Hair Factor) * * * Four Tablets Contain: Calcium Pantothenate 6 mg. Vitamin B-1 400 I. U. Strained 'K' Yeast 20 Grains"; "Ferrous Sulphate Solution An astringent, Detergent, concentrate of Ferrous Sulphate. To be used as directed by a Specialist." The material portions of the labels of the other products are quoted in notice of judgment No. 2033.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the accompanying booklets were false and misleading since the articles would not be effective for the purposes claimed. These statements represented and suggested that the *ferrous sulfate solution* possessed detergent properties and that the *calcium pantothenate tablets* would be effective to restore the original color of gray hair, to increase the elasticity of fingernails, and to improve the skin. Further misbranding, Section 502 (f) (1), the labeling of the *ferrous sulfate solution* failed to bear adequate directions for use.

The nature of the misbranding of the other products is indicated in notice of judgment No. 2033, which reports prosecution of the shipper under Section 301 (a).

DISPOSITION: April 23, 1945. The Ryer Dietary Supplements Co., Inc., claimant, having filed its claim and answer, the case came on for hearing before the court. Judgment of condemnation was entered and it was ordered that the products be destroyed.

DRUGS ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

2011. Action to restrain the interstate shipment of Hart's Compound Asthma Medicine. U. S. v. A. Thomas Hart (Hart's Swedish Asthma Medicine Co. and Hart's Asthma Medicine Co.). Permanent injunction granted. Defendant subsequently adjudged guilty of contempt, fined \$200, and sentenced to 6 months in jail; jail sentence suspended and defendant placed on probation. (Inj. No. 61.)

COMPLAINT FILED: December 1, 1943, Western District of New York, against A. Thomas Hart, trading as the Hart's Swedish Asthma Medicine Co. and the Hart's Asthma Medicine Co., at Buffalo, N. Y. The complaint alleged that the defendant had been shipping in interstate commerce since April 22, 1941, quantities of the above-named drug which were adulterated.

NATURE OF CHARGE: Adulteration, Section 501 (a), the drug consisted in whole or in part of a filthy substance, namely, moldy medicine.

PRAYER OF COMPLAINT: That the defendant and his agents be perpetually enjoined from the commission of the acts complained of.

DISPOSITION: On December 1, 1943, an order was issued to the defendant to show cause why an injunction pendente lite should not be granted. On December 6, 1943, the defendant appeared but made no opposition to the granting of such injunction, and the court ordered that the injunction issue. On December 31, 1943, the defendant having failed to answer or otherwise plead to the complaint, an order was entered perpetually enjoining and restraining the defendant from the interstate shipment of *Hart's Compound Asthma Medicine* until such time as such product should comply with the law. The defendant was cited for contempt on April 24, 1944, for a violation of the injunction, and on May 8, 1944, the court ordered that the defendant return from the channels of interstate commerce the medicine which had been shipped in violation of the injunction, and that he cause its destruction. The defendant was again cited for contempt on August 21, 1945, and at the conclusion of the hearing on the matter on August 27, 1945, the court imposed against the defendant a fine