

DISPOSITION: April 22, 1949. A plea of guilty having been entered, the court suspended the imposition of sentence and placed the defendant on probation for two years. As a special condition of the probation, it was ordered that the defendant should not dispense any medicines either locally or interstate.

2762. Misbranding of Amends Solution, Primal Minerals, and Primal Vitamins. U. S. v. Roy O. Wickham. Plea of nolo contendere. Sentence of 1 year's imprisonment; sentence suspended and defendant placed on probation. (F. D. C. No. 24229. Sample Nos. 17288-H, 69860-H, 69861-H.)

INFORMATION FILED: April 20, 1948, Northern District of Indiana, against Roy O. Wickham, Mishawaka, Ind.

ALLEGED SHIPMENT: On or about June 15 and October 24, 1946, from the State of Indiana into the State of Illinois.

PRODUCT: Analyses showed that the *Amends Solution* consisted essentially of water and small amounts of potassium iodide, iodine, and organic material; and that the *Primal Minerals* consisted essentially of white compressed tablets containing calcium, phosphorus, iron, and iodine.

LABEL, IN PART: "Amends Solution," "Primal Minerals * * * Tablets * * * Ingredients: Dicalcium Phosphate, Iron and Ammonium Citrate, Copper Peptonate, Manganese Hypophosphate, Potassium Iodide, Zinc Citrate, Magnesium Oxide, and Potassium Iodide," and "Primal Vitamins * * * Capsules * * * Vitamins A, B, C, D, G, and Niacin Amide. Ingredients: Fish Liver Oil, Irradiated Ergosterol, Thiamin Hydrochloride, Riboflavin, Ascorbic Acid, and Niacin Amide."

NATURE OF CHARGE: *Amends Solution.* Misbranding, Section 502 (a), the labeling, which included accompanying letters relating to the article, was false and misleading. The labeling represented and suggested that the article would be efficacious in the cure, mitigation, and treatment of arthritis and rheumatism. The article would not be efficacious for such purposes. Further misbranding, Section 502 (e) (2), the article was not designated solely by a name recognized in an official compendium and was fabricated from two or more ingredients, and its label bore no statement of the active ingredients of the article.

Primal Minerals and *Primal Vitamins.* Misbranding, Section 502 (a), the labeling, which included accompanying letters relating to the articles, was false and misleading. The labeling represented and suggested that the articles in combination with each other would be efficacious in the cure, mitigation, and treatment of rheumatism and arthritis; that they would relieve pain and discomfort; and that they would be efficacious in restoring health, physical well-being, and happiness. The articles in combination with each other would not be efficacious for such purposes.

DISPOSITION: May 17, 1949. A plea of nolo contendere having been entered, the court imposed a sentence of 1 year's imprisonment. The sentence was suspended, and the defendant was placed on probation for 2½ years.

2763. Misbranding of Autry's Minerals. U. S. v. Natural Minerals Co. Plea of nolo contendere. Fine, \$250. (F. D. C. No. 25626. Sample No. 7670-K.)

INFORMATION FILED: April 8, 1949, Southern District of California, against the Natural Minerals Co., a corporation, Los Angeles, Calif.

ALLEGED SHIPMENT: On or about August 2, 1948, from the State of California into the State of New York.

LABEL, IN PART: "Autry's Minerals * * * Ingredients: Dicalcium Phosphate, Ferrous (Iron) sulphate, Potassium iodide and a natural sedimentary Mineral deposit consisting essentially of carbonaceous material and the oxides of silicon with small amounts of other mineral oxides with excipients and sugar coating."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the article, which included a number of booklets entitled "Is Your Romance Dated?" "In Your Own Hands," and "A Portrait of Your Best Friend," were false and misleading since the article would not be efficacious for the purposes represented. The statements represented and suggested that the article would prevent failure of the glands of internal secretion, would retard old age, would make the body function properly as it should, and would restore normal vitality and youthful zest and pep; that it would prevent fatigue and permit the retention of all physical faculties to a greater age; that it would provide enchanting beauty; that it would prevent the face from becoming tired and drawn, would prevent signs of old age appearing at the age of thirty to thirty-five, would prevent wrinkles, would prevent the eyes from losing their luster, would prevent a dull and less animated facial expression, would prevent fingernails from becoming brittle and ridged, and would prevent poor health; that it would make the user well nourished and would improve the appearance; that it would overcome disease-producing factors and would provide richness and replenishment of the blood supply; that it would prevent infections; that it would keep the body in the best of health; that it would prevent numerous disturbances in the users' physical make-up, would prevent the gastrointestinal tract from losing the power to absorb in a normal way, and would prevent the cells of the body from losing the ability to assimilate; that it would give freedom from fatigue; that it would provide greater ability to work; and that it would improve the mind.

DISPOSITION: May 16, 1949. A plea of nolo contendere having been entered, the court imposed a fine of \$250.

2764. Misbranding of tooth paste. U. S. v. John J. Harris (No Equal Products Co.). Plea of guilty. Fine of \$100 and costs. (F. D. C. No. 23227. Sample Nos. 15354-H, 39540-H.)

INFORMATION FILED: January 14, 1948, Northern District of Illinois, against John J. Harris, trading as the No Equal Products Co., Chicago, Ill.

ALLEGED SHIPMENT: From the State of Illinois into the State of Wisconsin. The product was shipped on or about April 18, 1946, and February 6, 1947, and a number of booklets entitled "No Equal The World's Greatest Tooth Paste" were shipped on or about May 7, 1946, and February 17, 1947.

PRODUCT: Analysis showed that the product consisted of a gray paste containing essentially bentonite, water, calcium carbonate, a small amount of a fixed oil, and methyl salicylate.

LABEL, IN PART: "No Equal Tooth Paste."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the booklets were false and misleading since the article would not be effective for the purposes and would not fulfill the promises of benefit suggested and implied by the statements. The statements represented and suggested that the article would be effective in the treatment of rheumatic and pulmonary affections, disorders of the scrofulous, and eczematous type, abscesses, sores,