

# United States Department of Agriculture

## FOOD AND DRUG ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the Food and Drugs Act]

27701-27750

[Approved by the Acting Secretary of Agriculture, Washington, D. C., February 5, 1938]

**27701. Adulteration of Epsom salt compound tablets. U. S. v. The Shores Co., Inc. Plea of guilty. Fine, \$25. (F. & D. No. 35986. Sample No. 30399-B.)**

These tablets were represented to derive their laxative properties from Epsom salt, whereas their laxative effect was derived chiefly from phenolphthalein, a coal-tar drug, the small amount of Epsom salt present being relatively unimportant.

On March 20, 1936, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Shores Co., Inc., Cedar Rapids, Iowa, alleging shipment by said company on or about May 2, 1935, from the State of Iowa into the State of New York of a quantity of a product, invoiced "Epsom Comp. Tablets SC White," which was adulterated. The article was labeled in part: (Drum) "From the laboratories of The Shores Company, Cedar Rapids, Iowa."

It was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, since the tablets were represented to consist of Epsom salt; whereas they did not so consist, but did contain a small amount only of Epsom salt, or magnesium sulphate, and contained phenolphthalein, an organic compound derived from coal tar, as the active cathartic present.

On September 28, 1937, a plea of guilty was entered on behalf of the defendant, and the court imposed a fine of \$25 and costs.

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

**27702. Misbranding of Hessel's Oil de Vita, Snuffly, and Hessel's Oil de Vita Salve. U. S. v. Eugene Hessel (Vita Laboratories). Plea of guilty. Fine, \$50 and 1 day's imprisonment. Prison sentence suspended and defendant placed on probation for 1 year. (F. & D. No. 36983. Sample Nos. 35192-B, 35193-B, 35194-B, 35992-B, 49543-B.)**

The labels of these products contained false and fraudulent representations regarding their curative and therapeutic effects.

On July 1, 1936, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Eugene Hessel, trading as Vita Laboratories, Philadelphia, Pa., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about May 3 and August 8, 1935, from the State of Pennsylvania into the State of Ohio of quantities of Oil de Vita, Snuffly, and Oil de Vita Salve that were misbranded; and on or about July 7 and August 22, 1935, from the State of Pennsylvania into the District of Columbia and the State of New Jersey, respectively, of quantities of Oil de Vita which was misbranded. The articles were labeled variously: "Hessel's Oil de Vita \* \* \* [or "Snuffly" or "Hessel's Oil de Vita Salve"] Vita Laboratories, Phila., Pa."

Analyses showed that the Oil de Vita consisted essentially of oil of peppermint slightly varying from the United States Pharmacopoeial quality; that the salve was a yellowish, semisolid consisting of about one-fifth peppermint oil in a base indicated to be petrolatum; and that the Snuffly consisted of eucalyptus oil.