27141. Misbranding of Pep-O Iodized Dairy Minerals. U. S. v. Clarence A. Near (Krauss-Near Chemical Co.). Plea of guilty. Fine, $50. (F. & D. no. 38621. Sample no. 5196-C.)

The labeling of this article contained false and fraudulent representations regarding its curative and therapeutic effects for dairy cows.

On March 2, 1937, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Clarence A. Near, trading as Krauss-Near Chemical Co., Minneapolis, Minn., charging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about August 7, 1936, from the State of Minnesota into the State of Wisconsin of Pep-O Iodized Dairy Minerals that were misbranded.

Analysis of the article showed that it consisted essentially of calcium carbonate, calcium phosphate, sodium chloride, sodium sulphate, sodium bicarbonate, small proportions of iron oxide, sulphur, potassium iodide, and compounds of copper and manganese.

The article was alleged to be misbranded in that statements regarding its curative and therapeutic effects, in a circular enclosed in the bags containing it, falsely and fraudulently represented that it would be effective as a treatment, remedy, and cure for poor health and disease; effective to stimulate the flow of salivary juices during mastication, to make food more palatable and easier to digest, to increase the flow of gastric juices, to cause cows to give more milk, to furnish the minerals found in milk, to improve the digestive functions, to enable cows to produce a strong, healthy calf each year, to cure run-down cows, to keep the blood pure, to prevent indigestion, sour stomach, gas, belching, bloating, fever, and scours; effective to keep cows in perfect health, to assure maximum digestion and assimilation, more milk, better milk, lengthened milk period, and higher butterfat production; effective as a preventive of deficiency abortion, caked udder, milk fever, and weak calves; and effective immediately to increase the milk flow; to lengthen the breeding life of a cow, to help cows to clean better at calving time, to help reduce scours in calves, to build up cow's resistance to disease, to improve cow's digestive functions, to make cows contented, and to help cows to produce larger and stronger calves.

On March 2, 1937, the defendant entered a plea of guilty and the court imposed a fine of $50.

HARRY L. BROWN,
Acting Secretary of Agriculture.

27142. Misbranding of Cal-O-San Stomach Tablets. U. S. v. 497 Cartons of Cal-O-San Stomach Tablets. Product released for relabeling. (F. & D. no. 38866. Sample no. 31208-C.)

The label of this product bore false and fraudulent representations regarding its curative or therapeutic effect.

On December 22, 1936, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 497 cartons of Cal-O-San Stomach Tablets at Salt Lake City, Utah, alleging that the article had been shipped in interstate commerce, on or about November 14, 1936, by G. Brewerton, from Fort Browning, Mont., and that it was misbranded in violation of the Food and Drug Act as amended.

Analysis of the article showed that it consisted essentially of bismuth subcarbonate (10½ grains), calcium carbonate (6 grains), sodium bicarbonate (10½ grains), starch, and peppermint oil.

It was alleged to be misbranded in that the following statements regarding its curative or therapeutic effect, borne on the package, falsely and fraudulently represented that it was capable of producing the effect claimed in said statements: "Stomach Tablets * * * Directions inside lid * * * In nearly all cases where Ulcerous conditions are present, these tablets will cause distress during first few days of treatment. The important thing is to persevere and get relief."

On January 13, 1937, an order was entered releasing the product to the claimant, Roy Brewerton, under bond conditioned that it not be disposed of contrary to law.

HARRY L. BROWN,
Acting Secretary of Agriculture.