

On June 29, 1934, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court an information against (Dr.) Everette H. Hobson, Robert U. Bronson, and James G. LeQuime, copartners trading as the Natural Products Co., Eugene, Oreg., alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about March 25, 1933, from the State of Oregon into the States of Washington and Ohio, of quantities of Cal-Spa Mineral Water which was misbranded. The article was labeled in part: "Cal-Spa Mineral Water The Natural Calcium Tonic * * * Certified Analysis Grains Per U. S. Gallon * * * Potassium Iodide 106.00 * * * Natural Products Company, Eugene, Oregon."

Analyses of a sample from each shipment showed (1) the water contained salts of calcium and sodium and 2 grains of potassium iodide per gallon; (2) a water solution of the salts of calcium, magnesium, potassium, and sodium with chloride and iodide, the total iodine calculated to potassium iodine being 1.4 grains per gallon.

The information charged misbranding in that certain statements regarding the curative and therapeutic effects of the article, borne on the bottle label, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for kidney ailments, stomach disorders, pulmonary infection, skin eruptions, hay fever, catarrh, rheumatism, goiter, nervousness, and very run-down conditions; effective as a general tonic in regaining and maintaining normal health; effective as a corrector of acidity; effective to eliminate poisons; and effective as a tonic. Misbranding was alleged for the further reason that the statement, "Certified Analysis Grains per U. S. Gallon * * * Potassium Iodide 106.00", borne on the bottle label, was false and misleading, since each United States gallon of the article contained less than 106 grains of potassium iodide.

On October 23, 1934, the defendants entered pleas of guilty and the court imposed a fine of \$300 against each defendant, a total of \$900.

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

23238. Misbranding of Cal-Spa Mineral Water. U. S. v. James G. LeQuime. Plea of guilty. Fine, \$100 and costs. (F. & D. no. 31457. Sample no. 23040-A.)

This case was based on a shipment of mineral water, the label of which contained unwarranted curative and therapeutic claims.

On September 14, 1934, the Grand Jurors of the United States, presented in the United States District Court for the Western District of Washington, an indictment against James G. LeQuime, Seattle, Wash., charging shipment by said defendant, on or about March 1, 1933, from the State of Washington into the State of California, of a quantity of Cal-Spa Mineral Water which was misbranded. The article was labeled in part: "Cal-Spa * * * Mineral Water. * * * Natural Products Co., Eugene, Oregon."

Analysis of a sample showed that the product was a water solution of the salts of calcium, magnesium, potassium, and sodium with chloride and iodide, the total iodine calculated to potassium iodide being 1.75 grains per United States gallon.

Misbranding was charged in the indictment in that certain statements, designs, and devices on the bottle label, regarding the curative and therapeutic effects of the article, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for kidney ailments, stomach disorders, pulmonary infection, skin eruptions, hay fever, catarrh, rheumatism, goiter, nervousness, and very run-down conditions; effective as a general tonic in regaining and maintaining normal health; effective as a corrector of acidity; effective to eliminate poisons; and effective as a tonic.

On October 1, 1934, the defendant was arraigned, pleaded guilty, and was sentenced to pay a fine of \$100 and costs.

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

23239. Misbranding of Cre-Cal-Co. U. S. v. Creo-Chemical Co. and William M. Morgan. Pleas of guilty. Fine, \$50. (F. & D. no. 31461. Sample no. 26888-A.)

This case was based on an interstate shipment of a drug preparation, the labels of which contained unwarranted curative and therapeutic claims.

On April 30, 1934, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district

court an information against the Creo-Chemical Co., a corporation, trading at San Antonio, Tex., and William M. Morgan, alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about November 23, 1932, from the State of Texas into the State of Indiana, of a quantity of Cre-Cal-Co, which was misbranded. The article was labeled in part: "Cre-Cal-Co. Copyright 1922 by George McDaniel Callaway * * * Manufactured by Creo-Chemical Company."

Analysis of a sample showed that the article consisted essentially of a small proportion of a phenolic substance such as creosote and approximately 99 percent water.

The information charged that the article was misbranded in that certain statements regarding its curative and therapeutic effects, appearing on the bottle and carton labels, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for la grippe, influenza, pneumonia, chronic catarrh, bronchitis, tuberculosis and any germ infection; effective as of great value in all acute germ infection; effective as of great value in the treatment of all germ conditions and of the greatest value in all acute germ infections; and effective to insure constitutional benefit and as a treatment for all affections of the nose, throat, and lungs, and for deep-seated germ infection, acidosis, and poor elimination.

On October 13, 1934, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

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

23240. Misbranding of Epsom salt, U. S. v. 1,461 Five-Pound Bags of Epsom Salt. Decree of condemnation with provision for release under bond conditioned that containers be destroyed. (F. & D. no. 31542. Sample no. 43598-A.)

This case involved a shipment of Epsom salt, the labels of which bore unwarranted curative and therapeutic claims.

On November 9, 1933, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,461 five-pound bags of Epsom salt at Albany, N. Y., alleging that the article had been shipped in interstate commerce, on or about September 5, 1933, by the Texaco Salt Products Co., from Tulsa, Okla., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Epsom Salt U. S. P. National Pharmacy Co., New York."

The article was alleged to be misbranded in that the following statements on the package containing the article, regarding its curative or therapeutic effects, were false and fraudulent: "Beneficial in Rheumatic Conditions. Aids in the Reducing of Adipose Tissue. Relieves * * * Aching Feet, * * * For reducing * * * For—Aching Feet."

On March 24, 1934, McKesson & Robbins, Inc., having appeared as claimant, judgment of condemnation was entered and it was ordered that the product might be released to the claimant upon payment of costs and the execution of a bond in the sum of \$500, or the deposit of cash collateral in like amount conditioned that it should not be disposed of in violation of the law, and that the containers be destroyed.

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

23241. Misbranding of Mi-Cro-Line Bladder and Kidney Remedy. U. S. v. 33 Bottles of Mi-Cro-Line Bladder and Kidney Remedy. Default decree of condemnation and destruction. (F. & D. no. 31807. Sample no. 52735-A.)

This case involved a drug preparation, the labels of which contained unwarranted curative and therapeutic claims.

On January 10, 1934, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 33 bottles of Mi-Cro-Line Bladder and Kidney Remedy at Tucson, Ariz., alleging that the article had been shipped in interstate commerce, on or about June 5, 1933, by the Eucaline Medicine Co., from Dallas, Tex., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of volatile oils including eucalyptus oil and methyl salicylate (75 percent), benzoic acid (approximately 1 percent), and a nonvolatile oil (approximately 24 percent).