

On May 8, 1933, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 597 bottles of Joy's Castoria at Chicago, Ill., alleging that the article had been shipped on or about June 25, 1932, by Mills Sales Co., from New York City, N.Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of extracts of plant drugs including a laxative drug, sugar, glycerin, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects were false and fraudulent: (Carton) "For Infants and Children For \* \* \* Colic \* \* \* Diarrhoea, Worms, Convulsions, Feverishness, Loss of Sleep and all Teething Troubles \* \* \* Assimilates the Food, Regulates the Stomach and Bowels Aids Digestion Induces Rest."

On June 16, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

**21187. Adulteration and misbranding of fluidextract of ergot. U. S. v. 4 Bottles of Fluid Extract Ergot. Default decree of destruction entered. (F. & D. no. 29944. Sample no. 34092-A.)**

This case involved a shipment of fluidextract of ergot which was represented to be of pharmacopoeial standard and which was found to have a potency of less than one-fifth the potency required by the United States Pharmacopoeia. The article, because of its low potency, would not produce the therapeutic effects claimed in the labeling.

On March 16, 1933, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 4 bottles of the said fluidextract of ergot at Little Rock, Ark., alleging that the article had been shipped in interstate commerce, on or about February 15, 1933, by the Meyer Bros. Drug Co., from St. Louis, Mo., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength as determined by the test laid down in the said pharmacopoeia.

Misbranding was alleged for the reason that the following statements on the label were false and misleading: "Fluidextract Ergot, U.S.P. \* \* \* One Cc. of this Fluidextract represents one gramme of superior standard ergot." Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, were false and fraudulent: "Nervous and muscular uterine stimulant, hemostatic. Average dose of the Fluidextract—Thirty Minims (2 Cc.) as required."

On June 29, 1933, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed by the United States marshal.

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

**21188. Misbranding of Witter Water. U. S. v. 2,199 Cartons of Witter Water. Consent decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. no. 30384. Sample no. 33900-A.)**

Examination of the mineral water involved in this case disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the circular shipped with the article.

On or about May 3, 1933, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 2,199 cartons, each containing 6 bottles of Witter Water, at Chicago, Ill., alleging that the article had been shipped in interstate commerce, June 9, 1932, by the Witter Water Co., from Ukiah, Calif., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted of an alkaline water containing, per quart: 177 grains of dissolved mineral matter consisting essentially of sodium, magnesium, and calcium bicarbonates, borax, sodium chloride, and small proportions of other salts commonly present in ground water.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the circular, regarding the curative and therapeutic effects of the article, were false and fraudulent: "Clinical and Laboratory Tests Prove the Amazing Effectiveness of Medicinal Witter Water. One of the truly great functions of Medicinal Witter Water is its capacity to neutralize the excess acidity of the stomach, thus relieving the pain and distress of most acid stomach disorders. \* \* \* gives remarkable results in improving your general health. \* \* \* contains important minerals in available form, Easily Absorbed by the body, which are needed to build up health and vitality. In fact of the 12 natural minerals that are essential to human life, 11 are found in Medicinal Witter Water. \* \* \* these minerals which are so important to life—are in available form, that is they are readily assimilated by the human body. That Is Why Medicinal Witter Water Is Exceptionally Beneficial In Its Action. \* \* \* health-giving minerals \* \* \* vital mineral ingredients \* \* \* for the beneficial effects of Medicinal Witter Water. \* \* \* effective medicament \* \* \* especially beneficial effects in those disorders in which its use is indicated. How to Get Best Results with Medicinal Witter Water \* \* \* While this \* \* \* medicinal compound often gives results in a very short time, it should be taken continuously for at least a month so that it may have a proper chance to effect more lasting results. \* \* \* The Average Case Will Require At Least Six Bottles. Some of the more chronic and long standing cases, of course, need more. \* \* \* after their conditions, in their opinion, returned to normal. This procedure used as a means to prevent a possible return of the condition \* \* \* Medicinal Witter Water brings such grateful relief to sufferers of excess acid stomach disorders that they are apt to believe the condition has been completely corrected when it has only been relieved after taking just one or two bottles of Medicinal Witter Water. Even in severe cases of acid stomach, just a few doses should bring amazing relief from the distress. That is why you are urged not to judge results from only a small amount of this truly remarkable Natural compound. That is why it is strongly urged that you heed the sound advice of hundreds of physicians—Keep Up The Treatment Until Nature Has Had An Opportunity To Heal And Reestablish Normal Functioning. It is for this reason, in addition to the saving made, we say that the least you should take is one carton of six bottles—For Best Results. Under ordinary conditions, as was said above, this amount will last from about two to four weeks. Severe cases and those of long standing will naturally require longer treatment. \* \* \* Moreover, Medicinal Witter Water is such an economical treatment, so pleasant and easy to take, that there is no reason for any one discontinuing its use too soon. If you should happen to take it a little longer than is required, it will not do you the slightest harm—in fact, as was said, this should aid very materially in preventing a return of the symptoms, as well as assist greatly in building better health and vitality. \* \* \* A host of physicians today consider that colds and many kindred disorders are due to a disturbance of the mineral balance of the system. They say that chronic fatigue and a run-down debilitated condition are often symptoms of mineral starvation—that the body lacks a sufficient amount of minerals needed to maintain the proper mineral balance and to neutralize excess acid wastes. They also say that chronic hyperacidity of the stomach, which is the cause of so much stomach distress, will in time produce a disturbance of the mineral balance of the system. \* \* \* Medicinal Witter Water is indeed a safer means than the use of soda and similar alkaline agents. Vital Need of Natural Minerals. Physicians also say that when there is a disturbance of the alkali reserve of the body, all of the mineral elements vitally needed by the body for good health are more or less reduced, including iron and calcium. Taken into the stomach, Medicinal Witter Water neutralizes any excess acidity that may be present, besides supplying a generous amount of alkalis, iron, calcium and other vital minerals needed by the body. Remember, of the 12 vital minerals required by the body and essential to human life, 11 of them are contained in Medicinal Witter Water—And In Natural Form. Also, unlike soda bicarbonate and many other alkaline agents, Medicinal Witter Water positively cannot cause the serious condition known as 'alkalosis'. This fact was proven

by a nationally known pathological laboratory. \* \* \* after the Buffer alkalinity is neutralized the acid becomes as effective as ever for digestion purposes. The regular use of Medicinal Witter Water, therefore, \* \* \* should help build up your resistance to disease because it supplies the system with natural minerals needed by the body \* \* \* Your Body Requires 12 Natural Minerals for Good Health. The table below shows the 12 natural minerals in your body which are essential to human life, and the Natural minerals found in Medicinal Witter Water. Compare Them.

Your Body Contains

These

Natural Minerals

1. Calcium
2. Phosphorus
3. Potassium
4. Sulphur
5. Sodium
6. Chlorine
7. Magnesium
8. Iron
9. Iodine
10. Silicon
11. Manganese
12. Fluorine

Medicinal Witter Water

Contains These

Natural Minerals

1. Calcium
2. Phosphorus
3. Potassium
4. Sulphur
5. Sodium
6. Chlorine
7. Magnesium
8. Iron
9. Iodine
10. Silicon
11. Manganese

Note: Medicinal Witter Water contains 11 of these 12 natural minerals that are essential to human life! \* \* \* Medicinal Witter Water contains a large percentage of Sodium Metaborate which is valuable because of its especially beneficial action in the blood and in combating acid poisons in the system. Why the Natural Mineral Elements in the Medicinal Witter Water Are Vitally Necessary to Good Health. The importance of the various Natural mineral elements found in Medicinal Witter Water, is clearly shown by the following explanation of the part they play in maintaining body health. As you read this brief summary of their action within the system, check the elements listed here with those found in Medicinal Witter Water as shown by the analysis on the bottle label. Calcium Bicarbonate and Calcium Phosphate: Calcium forms about one-half of the total mineral matter in the body. It is the principal constituent of the bones and teeth. Both calcium and phosphorus are also found in all the body cells and play a very important part in the life process. Sodium Bicarbonate and Sodium Sulphate: These elements are required by the body to keep the blood alkaline and to aid in eliminating carbon dioxide from the lungs. Magnesia Bicarbonate: This is the element which helps to keep the bones flexible and also to give elasticity to the muscles. Ferrous Bicarbonate (Iron) and Manganous Bicarbonate: These elements work together to supply the blood with hemoglobin—the coloring matter of the red blood cells, which carry life-giving oxygen to all parts of the body. Chlorides Of Ammonium, Lithium, Potassium and Sodium: The medicinal properties of these four mineral elements are closely related and are important to the proper mineral balance of the body. Sodium Metaborate: As shown by Dr. Harvey W. Wiley in 'Bureau of Chemistry Bulletin No. 84,' this element increases the number of red corpuscles in the blood, which are so essential to vigorous health. It is also an antiseptic agent. Potassium Iodide, Bicarbonates of Barium and Strontium: These elements act as internal antiseptics and are, therefore, valuable in eliminating poisonous matter from the system. Even though present in the body in small quantity only, the fact remains that the infinitesimal amounts of mineral substances are of the highest importance in promoting and regulating vital processes. Silica: This element is of great importance because scientific opinion holds that it has unusual antiseptic action and assists in protecting the body from infection. \* \* \* Alkaline Elements—to neutralize acid poisons. Building Elements—to increase the number and quality of the red corpuscles, which carry oxygen throughout the body and remove waste material. Antiseptic Elements—to cleanse and heal. Vital Elements—to nourish impoverished body cells upon which health depends. You can see then why Medicinal Witter Water has been so highly effective in treating those ailments in which its use is advised by physicians. New 200 Page Book Free Stomach Disorders, Acidosis and Anemia \* \* \* Giving you the latest Medical Facts Regarding the Causes and Treatment of Common Stomach Disorders, Stomach Ulcer,

Duodenal Ulcer, Colitis—Enterocolitis, Acidosis—Lack of 'Pep', Anemia—Poor Blood, High Blood Pressure, Rheumatism, Obesity—Overweight, Poor Health \* \* \* Invaluable To Everyone Who Suffers From Stomach Disorders, Stomach Ulcer, Duodenal Ulcer, \* \* \* Colitis, Enterocolitis, Acidosis (Lack of 'Pep'), Anemia (Poor Blood), Obesity—Overweight, High Blood Pressure, Rheumatism."

On May 8, 1933, the Witter Water Co., Ukiah, Calif., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant for relabeling under the supervision of this Department, upon payment of costs and the execution of a bond in the sum of \$2,500, conditioned that it should not be sold or disposed of contrary to the provisions of the Federal Food and Drug Act and all other laws.

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

**21189. Misbranding of Thor's Vitamin Compound. U. S. v. 43 Bottles of Thor's Vitamin Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30421. Sample no. 32599-A.)**

Examination of the drug preparation Thor's vitamin compound disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the carton label and in a circular shipped with the article.

On or about May 5, 1933, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 43 bottles of Thor's vitamin compound at Tampa, Fla., alleging that the article had been shipped in interstate commerce, on or about April 28, 1933, by the Thor Pharmacal Co., from Atlanta, Ga., and charging misbranding in violation of the Food and Drugs Act as amended.

Examination of a sample of the article by this Department showed that it consisted of tablets containing plant material including nux vomica and a laxative drug, compounds of iron and copper, phenolphthalein, and yeast. Biological examination showed that the article was worthless as a source of vitamin D.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the article, appearing in the labeling, were false and fraudulent: (Carton) "For use in certain types of impoverished blood, undernourished conditions, and general systemic depletion. \* \* \* as efficacious in certain types of under-nourishment, impoverished blood conditions and general systemic depletion"; (circular) "Your health \* \* \* Thor's Vitamin Compound, how to use it to get the best results, \* \* \* Let us first explain that the mechanism of the human body is the most delicate piece of machinery ever devised. Through use and abuse from improper care, it is natural that, at times, this delicately adjusted mechanism should get out of order. So, it is in this condition that one is exposed to all manner of onslaught from disease. But, also like other machinery, if the body is kept in the proper condition, it will run smoothly, day in and day out, year in and year out, until you have reached your allotted three score years and ten, and on beyond. Break-Down Gives No Warning. If you break an arm, that part of your human machinery is immediately out of commission until the break has been set and healed. But these under-par conditions do not work that way. There is nothing sudden or startling to warn us that Nature is beginning to break down, except a slow process of disintegrating energy, gradual loss of appetite, slowing, failing memory, weight decreasing, by degrees, less and less sleep at night, and a noticeable crossness and irritability. We don't seem to have any particular aches and pains, but we are just worn out in body and in mind, with a lazy liver that constantly needs prodding with strong, irritating purgatives. If this continues without correction you will soon be a sick person. If we are suffering from weak, thin blood, acid stomach, gas, constipation, bilious attacks, nervousness, weakness, loss of weight, sleeplessness, a rundown, anaemic condition, violent headaches from indigestion, auto-intoxication, and a general depleted, anaemic condition, there is a positive cause behind it all. In many cases when we get into this weakened, ailing condition we can readily put our finger upon the cause: it may be over-work, eating hastily or irregularly, indulging in too much liquor or tobacco, not getting enough rest and sleep, business worries, too much or too little exercise, ill-chosen food, etc., etc. At other times the actuating cause of our feeling so