

as an active ingredient and in the fourth it contained a material proportion of calomel as an active ingredient. It was alleged to be misbranded further in that the statement "Double Quick Liver Tablets \* \* \* quick and strong action upon the Liver," borne on the box label, was false and misleading since it represented that the article was efficacious as a liver tablet and would exert a quick and strong action upon the liver; whereas it would not be efficacious for such purposes.

Analyses of samples of each of the five shipments of the Compound Herb Tea showed the following facts: (1) The product consisted essentially of plant material including rosemary and unidentified green leaves; (2) it consisted essentially of plant material, containing sassafras bark and rosemary leaves; (3) it consisted essentially of plant material including sassafras bark, chicory, red clover flowers and stems, green leaves resembling *Eupatorium*, senna leaves, and unidentified fine debris; (4) product consisted essentially of plant material including rosemary leaves, unidentified starchy material, and small pieces of root-like material; and (5) product consisted essentially of small pieces of leaves, stems, and unidentified plant debris. The Compound Herb tea was alleged to be misbranded in that the statement "Whites, Gonorrhoea, and Leucorrhoea," borne on the label, was false and misleading since they represented that the article was efficacious in the treatment of whites, gonorrhoea, and leucorrhoea; whereas it was not efficacious for such purposes.

Analysis indicated that the Blessed Herb Tea consisted essentially of plant material including couch grass, calamus, mistletoe, and unidentified plant debris. It was alleged to be misbranded in that the statements "For Bright Disease" and "for Bloody and Scalding Urine and Stricture," borne on the label, were false and misleading since they represented that it was efficacious in the treatment of Bright's disease and for bloody and scalding urine and stricture; whereas it was not efficacious for such purposes.

Analysis of the Herb Wash indicated that it consisted essentially of ground and powdered oak bark. It was alleged to be misbranded in that the statements, "For Female Disorder \* \* \* It may be used freely, also for Gonorrhoea, or any Disorder of the Water Passage \* \* \* in bad case of falling of the Womb," borne on the label, were false and misleading since they represented that the article was efficacious in the treatment of female disorder, gonorrhoea, any disorder of the water passage, and bad case of falling of the womb; whereas it was not efficacious for such purposes.

Analysis of the St. Bernard Tea indicated that it consisted essentially of plant material including sassafras bark, uva ursi, mallow flowers, buchu leaves, and unidentified plant debris. It was alleged to be misbranded in that the statements, "Very soothing in inflammation and irritation of the Kidneys and Bladder, Gravel, Backache and certain rheumatic affections \* \* \* Tonic \* \* \* Antispasmodic," borne on the label, were false and misleading in that they represented that it was soothing in inflammation and irritation of the kidneys and bladder, gravel, backache, and certain rheumatic affections, and that it was a tonic and an antispasmodic; whereas it would not be efficacious for such purposes.

All of the remedies were alleged to be misbranded further in that certain statements contained in circulars entitled "The Herbal Healer," "Dr. Lynch A. Johnson Herbalist," and "Dr. Lynch A. Johnson Herbal Health Herald," one or more of which accompanied each of the articles, were false and misleading in that they represented that herbs would be effective in the cure, mitigation, treatment, or prevention of the various ailments, diseases, and pathological conditions listed in said circulars, which included diabetes, Bright's disease, paralysis, fibri tumor, tuberculosis, cancer, epileptic fits, syphilitic diseases, and numerous other serious ailments; whereas herbs would not be effective for such purposes.

On November 20, 1940, a plea of guilty having been entered, the court imposed a fine of \$1,500, and the defendant was sentenced to 6 months' imprisonment in a jail or Federal prison camp.

**370. Misbranding of Elga Bust Developer. U. S. v. Myrtle E. Edwards (Elga Laboratories). Plea of guilty. Defendant placed on probation for a period of 4 years. (F. D. C. No. 2115. Sample No. 5904-E.)**

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated below.

On September 11, 1940, the United States attorney for the Northern District of California filed an information against Myrtle E. Edwards, trading as Elga

Laboratories at San Francisco, Calif., alleging shipment on or about January 29, 1940, from the State of California into the State of Ohio of a quantity of Elga Bust Developer that was misbranded.

Analysis showed that the article consisted essentially of invert sugar, small proportions of calcium phosphate, and extracts of plant drugs, and water, colored with a red dye.

It was alleged to be misbranded in that the statements, "Elga Bust Developer. A Specialized normalizing Food designed to supplement nature, feeding systematically the sensitive, delicate, starved cells of immature, sagging or depleted breasts," borne on the bottle label, were false and misleading since they represented that it would develop the bust, that it was a specialized normalizing food designed to supplement nature, that it would feed systematically the sensitive, delicate, starved cells of immature, sagging, or depleted breasts, and that it was strictly a food; whereas it would not be efficacious for such purposes and it was not strictly a food, but was a drug. The article was also alleged to be misbranded under the provisions of the law applicable to food, as reported in F. N. J. No. 2096.

On February 4, 1941, a plea of guilty having been entered, the court placed the defendant on probation for a period of 4 years.

**371. Misbranding of Hannon's Rub External Treatment. U. S. v. Hannon Medicines, Inc., and Louis A. Hannon. Pleas of guilty. Fines, \$100. (F. D. C. No. 2846. Sample No. 9563-E.)**

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter. The cartons for both sizes were unnecessarily large. The 1-ounce bottle occupied approximately 32 percent and the 2-ounce bottle approximately 38 percent of the space in the carton.

On April 19, 1941, the United States attorney for the Southern District of Mississippi filed an information against Hannon Medicines, Inc., Brookhaven, Miss., and Louis A. Hannon, alleging shipment on or about April 29, 1940, from the State of Mississippi into the State of Louisiana of a quantity of Hannon's Rub External Treatment which was misbranded.

Analysis showed that the article consisted essentially of camphor, soap, chloroform, water, and alcohol.

The article was alleged to be misbranded in that certain statements in the labeling were false and misleading in that they represented that it was efficacious in the treatment of rheumatism, arthritis, neuritis, croup, coughs, laryngitis, chest colds, paroxysms due to asthma, menstrual colic, sciatica, bursitis, lumbago and backache; that it would relieve severe sprains, headache, neuralgia, or rheumatism; that it was efficacious in the treatment of stiff muscles and joints which accompany rheumatism, lumbago, and neuralgia; whereas it would not be efficacious for such purposes. It was alleged to be misbranded further in that its container, i. e., carton, was so made, formed, or filled as to be misleading.

On May 5, 1941, pleas of guilty having been entered, the court sentenced the corporation and the individual each to pay a fine of \$50.

**372. Misbranding of Dr. Hunt's Cervical Spine Relaxer. U. S. v. Dr. Albert Thurlow Hunt. Plea of nolo contendere. Fine, \$50. (F. D. C. No. 2110. Sample No. 11019-E.)**

The labeling of this device bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter.

On October 14, 1940, the United States attorney for the Southern District of California filed an information against Dr. Albert Thurlow Hunt, Los Angeles, Calif., alleging shipment on or about January 3, 1940, from the State of California into the State of Texas of a device known as Dr. Hunt's Cervical Spine Relaxer which was misbranded.

Examination showed that the device consisted of a sling fitting under the chin and around the back of the neck and riveted to a horizontal bar. A block and tackle were used to operate the device. One end of this block and tackle was inserted in the horizontal bar and the bar was to be fastened to a hook over a door or to some overhead point. The block and tackle were manipulated to cause a stretching of the operator's neck.

The device was alleged to be misbranded in that certain statements and designs appearing in the circular were false and misleading in that they represented that it was an effective and competent treatment to prevent the following disorders, or to overcome them if they already existed: Functional disorders of the head, throat and neck, headaches, insomnia, hay fever, nasal