

The statements represented and suggested that the article would restore youth and vitality, correct loss of appetite, nervousness, and weak glands, and improve health; that it was a perfect tonic for persons approaching middle age; and that it would restore energy and help one to enjoy life. The article was not capable of fulfilling the promises of benefit stated and implied.

Further misbranding, Section 502 (e) (2), the label of the article failed to bear the name of each active ingredient since its label failed to bear the name of any active ingredient.

The article was misbranded in the above respects while held for sale after shipment in interstate commerce.

DISPOSITION: June 23, 1950. Default decree of destruction.

3196. Misbranding of homeopathic mineral tablets. U. S. v. 33 Boxes, etc.
(F. D. C. No. 29068. Sample Nos. 70071-K to 70082-K, incl.)

LABEL FILED: April 26, 1950, Western District of Oklahoma.

ALLEGED SHIPMENT: On or about March 21, 1950, by Luyties Pharmacal Co., from St. Louis, Mo.

PRODUCT: 33 boxes of *calcareae fluor.* (*calcium flouride*) tablets, 15 boxes of *calcareae phos.* (*calcium phosphate*) tablets, 24 boxes of *calcareae sulph.* (*calcium sulfate*) tablets, 31 boxes of *ferrum phos.* (*iron phosphate*) tablets, 35 boxes of *kali mur.* (*potassium chloride*) tablets, 33 boxes of *kali phos.* (*potassium phosphate*) tablets, 12 boxes of *kali sulph.* (*potassium sulfate*) tablets, 18 boxes of *magnesiae phos.* (*magnesium phosphate*) tablets, 47 boxes of *natrum mur.* (*sodium chloride*) tablets, 22 boxes of *natrum phos.* (*sodium phosphate*) tablets, 11 boxes of *natrum sulph.* (*sodium sulfate*) tablets, and 36 boxes of *silicea* (*silicic acid*) tablets, and 274, more or less, books entitled "Universal Mineral Food Co. Text Book," at Oklahoma City, Okla.

RESULTS OF INVESTIGATION: Investigation disclosed that these drugs had been shipped in bulk from the Luyties Pharmacal Co. and were repackaged by the consignee in retail boxes which had been supplied to the consignee by the Luyties Pharmacal Co. The books in possession of the consignee consisted of 138 pages and had been prepared by the consignee, the Universal Mineral Food Co., Inc., from copy prepared by an officer of that corporation.

Analyses indicated that the tablets possessed the compositions stated upon their respective labels.

LABEL, IN PART: (Box) "Tablets * * * Containing Homeopathic Calcareae Fluor. 6x (Calcium Fluoride) [or "Calcareae Phos. 3x (Calcium Phosphate)," "Calcareae Sulph. 3x (Calcium Sulphate)," "Ferrum Phos. 3x (Iron Phosphate)," "Kali Mur. 3x (Potassium Chloride)," "Kali Phos. 3x (Potassium Phosphate)," "Kali Sulph. 3x (Potassium Sulphate)," "Magnesia Phos. 3x (Magnesium Phosphate)," "Natrum Mur. 6x (Sodium Chloride-Salt)," "Natrum Phos. 3x (Sodium Phosphate)," "Natrum Sulph. 3x (Sodium Sulphate)," and "Silicea 6x (Silicic Acid)"]]."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the box labels of the articles and in the accompanying book were false and misleading since the articles were not adequate and effective treatments for the conditions represented and suggested by such statements. The statements represented and suggested that the tablets were adequate and effective treatments for the following conditions: (*calcareae fluor.*) varicose veins, itching or bleeding hemorrhoids, asthma, appendicitis, constipation, curvature of the

spine, enlarged heart, valvular heart leakage, floating kidney, female troubles, fallen uterus, piles, tumors, enlarged tonsils, and swollen glands; (calcarea phos.) anemia, delayed dentition, diarrhea, backache, bladder stones, curvature of the spine, abscess or tuberculosis of the bone, Bright's disease, chronic diseases, colic, constipation, tuberculosis, diabetes, dropsy, gallstones, menstrual disorders, rickets, and cancer; (calcarea sulph.) skin eruptions, catarrh, cough, ulceration of the teeth, bleeding gums, sick stomach, all ulcerations, chronic inflammation, chronic hip joint disease, bone ulcers, tuberculosis of the bone, and smallpox; (ferrum phos.) fever, colds, nosebleed, cough, inflammation, soreness, hemorrhage, pneumonia, diphtheria, tuberculosis, blood poison, every disease in the acute form where a raging high fever becomes the crisis, felon, cancer, abscess, rheumatism, smallpox, and nephritis; (kali mur.) catarrh, coughs, indigestion, diarrhea, mumps, scarlet fever, measles, chicken pox, diphtheria, croup, membranous croup, pneumonia, syphilis, gonorrhea, bubo, chancre, cancer, and smallpox; (kali phos.) nervousness, restlessness, sleeplessness, discharges from any organ of the body, cholera, locomotor ataxia, muscular weakness, bloody dysentery, itching piles, mental derangements, foul discharges from ears, loss of sight from diphtheria, brain fever, palpitation of the heart, paralysis, infantile paralysis, smallpox, alcoholism, and rickets; (kali sulph.) catarrh, coughing spells and oppressed breathing, hard, hoarse, or croupy cough, eczema, asthma, bronchitis, cancer, consumption, measles, scarlet fever, typhoid, pneumonia, smallpox, and nephritis; (magnesia phos.) neuralgic pains and headaches, bloat, colic, cramps, acute cough, enuresis, convulsions, stammering, stuttering, spasms, fits, epilepsy, lockjaw, St. Vitus' dance, palsey, and nephritis; (natrum mur.) colds, throat and bronchial irritations, hay fever, dropsy, dysentery, sunstrokes, diabetes, cancer, chronic skin diseases, ringworm, and shingles; (natrum phos.) diarrhea, sour vomiting, muscular pains, diabetes, erysipelas, female trouble, scrofula, eczema, worms, and pyorrhea; (natrum sulph.) bilious headaches, colds, colic, chills, diarrhea, disordered stomach, coated tongue, vomiting of bile, yellowish skin, dizziness, flu, la grippe, diabetes, liver trouble, gall bladder and pancreatic disturbances, painter's colic, jaundice, malaria, yellow fever, erysipelas, and ringworm; and (silicea) boils, ulcerations, ailments attended with pus formation, chronic catarrh, all deep-seated pus in the blood, chronic skin diseases, gouty, rheumatic troubles, falling hair, heavy headache, leprosy, sty on the eyelid, felons, measles, smallpox, and rickets.

The articles were misbranded when introduced into, while in, and while held for sale after shipment in, interstate commerce.

DISPOSITION: May 31, 1950. The Universal Mineral Food Co., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the products be released under bond for relabeling, under the supervision of the Federal Security Agency.

3197. Misbranding of Facial and Body Genie device. U. S. v. 1 Device, etc.
(F. D. C. No. 27851. Sample No. 1870-K.)

LIBEL FILED: On or about September 30, 1949, Southern District of Florida.

ALLEGED SHIPMENT: On or about May 10, 1949, by Harvey, Inc., from Macon, Ga.

PRODUCTS: 1 *Facial and Body Genie device* at Coral Gables, Fla., together with an accompanying booklet, a white leaflet, and a yellow leaflet, all entitled "Facial and Body Genie."