

as a consequence, people and also animals subsisting on crops grown on such soil are starving, weak, and increasingly suffering from degenerative diseases, including high blood pressure, heart trouble, tumor, cancer, rheumatism, and many other diseases; and that such consequences can be prevented by the ingestion of Elemin tablets and G & J multiple vitamins tablets;

(b) That vitamin and mineral supplementation of the ordinary diet, such as the vitamins and minerals supplied by Elemin tablets and G & J multiple vitamins tablets is needed to prevent mental disease, cancer in newborn infants, and poliomyelitis;

(c) That Elemin tablets and G & J multiple vitamins tablets constitute an effective remedy for varicose veins;

(d) That sodium is an alkalizer and a digestive, it enables the body to take up iron, and it prevents catarrh and hardening processes; its lack causes iron insufficiency, indigestion, and old age deposits; sulfur purifies and tones up the system, makes hair glossy, and promotes bile secretion; its lack causes piling up of impurities and failure of the liver to function normally; potassium heals, balances, activates, relieves pain, helps prevent constipation, stimulates the liver, and renders tissues elastic; its lack causes constipation, pimples, failure of sores to heal, and liver disorders; magnesium is refreshing, promotes sleep, gives control of the nervous system and recuperation, and aids the complexion; its lack causes restlessness, excess acidity, and nervous conditions; iodine regulates the glands and protects the brain from body toxins; chlorine keeps joints and tendons supple, helps prevent pyorrhea, autointoxication, and excess fat; its lack causes undue accumulation of waste matter; fluorine acts as an antiinfective agent and helps prevent bone disease; its lack causes bad eyesight, pyorrhea, and susceptibility to infection; silicon makes tissues lithe and supple, the hair glossy, and the eyesight and complexion bright; its lack causes baldness, gray hair, bad complexion, and skin trouble; manganese promotes proper nutrition and fertility and activates other minerals; its lack causes sterility, lameness, and poor joints; and that such minerals supplied by Elemin tablets would accomplish the results stated and implied; would correct the conditions and deficiencies enumerated; and would supply such minerals to prevent such conditions and deficiencies from occurring;

(e) That a clay, described in the labeling as "sedimentary mineral deposit" occurring near Panaca, Nev., used as an ingredient of Elemin tablets contributed significantly to the diet of the user.

The above-mentioned articles were misbranded while held for sale after shipment in interstate commerce. The articles were alleged also to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: May 18, 1953. Default decree of condemnation and destruction.

4234. Misbranding of artificial mineral water. U. S. v. 366 Cases, etc. (F. D. C. No. 34961. Sample No. 57047-L.)

LIBEL FILED: April 28, 1953, Northern District of Ohio; amended libel filed May 26, 1953.

ALLEGED SHIPMENT: On or about April 28, 1953, by Nuvi-T-Min, Inc., from Gordonville, Pa.

PRODUCT: 366 cases, each containing 2 1-gallon bottles, of *artificial mineral water* at Toledo, Ohio, together with a number of accompanying pamphlets entitled "Functions of Minerals in Nutrition."

Analyses showed that the article consisted of approximately 99.5 percent water and 0.5 percent dissolved mineral matter, nearly all of which was sodium sulfate, and that there were but inconsequential traces of other minerals.

LABEL, IN PART: (Bottle) "Nuvi-T-Min, Inc. Artificial Mineral Water."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the above-mentioned accompanying pamphlets were false and misleading since the article was not effective for the purposes stated and implied and would not fulfill the promises of benefit made for it. The statements represented and suggested that the sulfur in the article would favorably affect the liver, blood vessels, nerves, complexion, hair, nails, skin, and cornea of the eye; that it would regulate innervation, purify and tone the system, and warm the skin; that it was necessary to metabolism; and that it contributed to the production of taurocholic acid in bile, thioneine in blood corpuscles, and glutathione in all the cells of the body; that iron in the article would make red blood, rosy cheeks, and clear complexion; that it would supply energy and vitality; that it would absorb and aid in transport of oxygen; that it would nourish tissues from the blood stream; and that it would prevent anemia; that the phosphorus in the article would favorably affect the bones and brain; that it would strengthen mental powers; that it would improve nutrition of nerve tissues and hair tissues; that it would favorably affect life and growth; that it would aid in the growth of hair; that it would contribute in a significant manner to the formation of bones, teeth, nerves, and the cells of the brain; that it would contribute to the prevention of rickets and other bone diseases; that it would favorably affect the metabolism of carbohydrates and fats; that it would produce alkalinity; that it would stimulate the liver; that it would favorably affect growth; that it would have a regulating effect upon the hair and on muscle contractions; and that it would be of vital importance to the red blood cells; that the calcium in the article would build bones, muscles, and teeth; that it would counteract acids, aid vitality, soothe the nerves, and decrease nervousness; that it would stimulate courage; that it would favorably affect functioning of the muscles and the clotting of blood, thus assisting in preventing hemorrhaging; and that it would affect normal beating of the heart; that the sodium in the preparation would check fermentation; that it would prevent clotting of blood; that it would stimulate the spleen; that it would regulate heat in body fluids; that it would excite the stomach and bowels to greater action; that it would neutralize acids; that it would help to maintain osmotic equilibrium in the tissues and in keeping proteins of the cells in solution and in proper degree of dispersion for normal functioning; and that it would protect body tissues against excessive loss of water; that the magnesium in the article would promote cell building in nerve matter; that it would promote excretions; that it would aid in preventing constipation; that it would be effective for steadying the nerves by depressing nervous irritability; that it would help to overcome brain fatigue; that it would stimulate the liver and reduce temper; that it would favorably influence all living cells; that it was of importance in the digestion of carbohydrates (starches and sugars) and fats; that it would favorably affect muscular action and yeast fermentation in the body; and that it would be effective in blood building and in the maintenance of healthy teeth; that the silicon in the article would act as a protective to skin and body; that it would increase hair growth; that it would aid in regulating enamel on the teeth; that it would favorably affect growth of teeth and nails; that it would stimulate the brain; that it would give grace to the body and sparkle to the eyes; and that it would promote beauty; that the

chlorine in the article would help to expel wastes; that it would assist in cleansing and purifying the system; that it would exercise favorable influence upon metabolism and help to maintain osmotic pressure in blood and tissues; that it would aid digestion; that it would aid in the regulation and stimulation of muscular action; that it would activate body enzymes; and that it would contribute to normal gastric secretion and to the maintenance of normal heart action; that the fluorine in the article would be effective in building strength into bone structures; that it would act strongly on the spleen; that it would help to protect the consumer from germs and infections; and that it would aid in preserving youthfulness in youth and old age; that the cobalt in the article would effect normal growth, normal appetite, and normal skin; that it would assist in increasing the red blood corpuscles; and that it would be effective to prevent scaly skin and muscular degeneration; that the manganese in the article would favorably affect nerve and brain cells; that it would increase the ability to read small print and to notice objects at a greater distance; that it would strengthen memory; that it would quicken coordination of thought and action; that it would contribute effectively to reproduction, growth, and normal functioning of the human body; that it would give stability to the bone structure of the body; that it would control the body's ability to utilize the vitamin B complex; and that it would contribute to the formation of the color pigment in hair, thus preventing hair from graying; that zinc in the article would be effective in increasing the bodily resistance to temperatures; that it would favorably affect tissue respiration and the proper utilization of vitamin B₁ by the human system; and that it would prevent retardation of intestinal absorption and decrease in growth rate; that the copper in the article would be effective in preventing the graying of hair and that it would aid tissue respiration.

The article was alleged also to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: July 16, 1953. Nuvi-T-Min, Inc., and W. R. Devlin, Gordonville, Pa., the owners of the product, having appeared as claimants, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

4235. Misbranding of Nemow tablets. U. S. v. 15 Display Cartons * * *.
(F. D. C. No. 35359. Sample No. 50980-L.)

LABEL FILED: July 17, 1953, District of New Jersey.

ALLEGED SHIPMENT: On or about November 6, 1952, by Nemow Co., Inc., from New York, N. Y., and on or about March 5, 1953, by the Commerce Drug Co., from Brooklyn, N. Y.

PRODUCT: 15 display cartons, each containing 12 boxes, of *Nemow tablets* at Newark, N. J.

LABEL, IN PART: (Display carton) "Nemow For Relief of Functional Periodic Pain"; (box) "Nemow 6 Tablets Active Ingredients, Acetphenetidin 2 Grains Per Tablet, Phenyl-Propanol-Amine Hydrochloride (Propadrine Hydrochloride), Aspirin For Relief of Functional Menstrual Pain."

NATURE OF CHARGE: Misbranding, Section 502 (a), the statement appearing in the labeling of the article, namely, (on leaflet enclosed in each box) "Nemow Tablets * * * do away with much of the depression and 'blue feeling' often experienced during or before the menstrual period," was false and misleading