

for correcting dysfunctions in the carbohydrate metabolism; for disposing of excess sugar in the blood and urine; for diabetic ulcerations; for weakness, emaciation, enuresis due to atony, hematuria, and cystitis; and that the article was an adequate and effective treatment for all forms of urinary and kidney difficulties, nephralgia, dropsy, flatulence, diarrhea, periosteal inflammation, abscesses, gangrene, gout, and nettle rash. The article was not an adequate and effective treatment for the diseases and conditions stated and implied.

DISPOSITION: The defendant having entered a plea of not guilty, the case came on for trial before the court without a jury on March 22, 1954. The trial was concluded on the same day, with the return by the court of a verdict of guilty and the imposition of a fine of \$1,000, plus costs, against the defendant.

4334. Misbranding of homeopathic drugs. U. S. v. 40 Bottles, etc. (F. D. C. No. 33320. Sample No. 33367-L.)

LIBEL FILED: July 7, 1952, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On various dates between November 17, 1950, and March 29, 1952, from Chicago, Ill.

PRODUCT: 40 1-ounce bottles, 116 2-ounce bottles, and 17 1-pound bottles of *calcareo fluorica tablets*, 1 2½-pound box of *calcareo fluorica*, 28 1-ounce bottles and 15 1-pound bottles of *calcareo phosphate tablets*, 9 1-ounce bottles, 41 2-ounce bottles, and 10 1-pound bottles of *calcareo sulfate tablets*, 1 2-pound box and 2 1-pound bottles of *ferrum phosphate*, 21 1-pound bottles and 81 2-ounce bottles of *ferrum phosphate tablets*, 30 1-ounce bottles, 48 2-ounce bottles, and 9 1-pound bottles of *kali muriaticum tablets*, 17 1-ounce bottles and 37 2-ounce bottles of *kali phosphate tablets*, 5 1-ounce bottles, 21 2-ounce bottles, and 15 1-pound bottles of *kali sulfate*, 32 1-ounce bottles and 7 1-pound bottles of *magnesia phosphate tablets*, 127 2-ounce bottles and 2 1-pound bottles of *natrum muriaticum tablets*, 45 1-ounce bottles, 46 2-ounce bottles, and 6 1-pound bottles of *natrum phosphate tablets*, 40 1-ounce bottles, 91 2-ounce bottles, and 7 1-pound bottles of *natrum sulfate tablets*, 49 1-ounce bottles, 139 2-ounce bottles, and 16 1-pound bottles of *silicea tablets*, 41 1-pound bottles of various kinds of *special formula tablets*, and 2 1-pound bottles containing a mixture of *homeopathic drugs in powder form* at Milwaukee, Wis., in possession of Louis Pauly, together with a number of booklets entitled "My Open Letter No. 12," "Supplement Letter No. 15 November, 1949," "Supplement Letter No. 6 June, 1945," and "Supplement Letter No. 19 April, 1952"; a number of leaflets entitled "Letter No. 13," "Excerpts From My Coming Letter No. 14 for 1949," "I am calling this sheet my No. 17 Letter, July, 1951," and "Letter No. 18"; a number of leaflets headed "Louis Pauly"; and a number of blotters bearing the words "Professional Comments On The Bio-Chemic System of Medicine" and "My Proposed Cover Page For Letter No 16 November, 1950."

RESULTS OF INVESTIGATION: The above-mentioned booklets, leaflets, and blotters were printed in the Milwaukee, Wis., area for the consignee.

NATURE OF CHARGE: Misbranding, Section 502 (a), the labeling of the articles, namely, the above-mentioned booklets, leaflets, and blotters accompanying the articles, contained statements which were false and misleading. Such labeling contained certain general statements which represented and suggested that the articles constituted adequate and effective cure, mitigation, treatment, and prevention of chronic diseases, lymphoblastoma, all skin diseases, tubercu-

losis, female organ tumors, Bright's disease, high blood pressure, psoriasis, eczema, jungle rot, ichthyosis, skin cancer, colitis, abscess, piles, shingles, sinus affections, rectal fistula, polio, every type of dermatitis and many other so-called chronic diseases, asthma, Buerger's disease, Hodgkin's disease, nervous and mental breakdown, gallbladder trouble, glandular affections, epilepsy, sciatica, diabetes, rheumatism, earache, all curable diseases, cerebral palsy, multiple sclerosis, Raynaud's disease, lupus erythema, pemphigus, affections of the tonsils, ulcers, bad heart condition, stroke, hemorrhages, poor memory, inability to concentrate or think clearly, gallstones, and newer cases of hemorrhoids, and to cause almost instant improvement in pneumonia and other fevers, acne, anemia, bronchitis, children's bed wetting, carbuncles, dyspepsia, impetigo, insomnia, neuritis, paralysis of legs, prostate gland affections, sties on eyelids, fistula, and menopause affections.

In addition, a booklet entitled "My Open Letter No. 12" contained specific statements which represented and suggested that the *ferrum phosphate*, *calcareo fluorica*, *kali muriaticum*, and *silicea* would cure all skin ailments, including psoriasis and jungle rot, would heal all cases of eczema of long standing, and would cure extreme cases of acne; that the *ferrum phosphate*, *calcareo fluorica*, and *silicea* would cure abscess of the rectum; that the *ferrum phosphate* and *kali muriaticum* would prevent bronchitis; that the *ferrum phosphate* and *silicea* would rid one of sinus trouble; that the *magnesia phosphate*, *ferrum phosphate*, and *kali muriaticum* would cure infantile paralysis; and that the *silicea*, *magnesia phosphate*, *calcareo phosphate*, and *natrum phosphate* would be helpful in multiple sclerosis and paralysis.

The leaflets entitled "Letter No. 13" and the booklets entitled "Supplement Letter No. 15" contained specific statements which represented and suggested that the *magnesia phosphate*, *kali phosphate*, and *kali muriaticum* would cure polio; that the *ferrum phosphate* would prevent polio; that the *natrum muriaticum* would relieve conditions causing dropsy; and that the *calcareo fluorica 6x* would relieve high blood pressure and bring back lost elasticity of the circulatory system.

The booklets entitled "Supplement Letter No. 15" contained specific statements which represented and suggested that the *special formula tablets* labeled, in part, "Homeopathic Compound Tablets—60% Silicea 6x" or "Special Formula Tablets * * * Each tablet contains Silicea 6x," would cure piles; that the *special formula tablets* labeled, in part, "Each Tablet Contains Silicea 6x * * * Ferr. Phos 6x * * * Kali Sulf 6x," would cure 95 percent or more of sinus sufferers; that the *kali phosphate* and *magnesia phosphate 3x* constituted remedies for asthma; and that the *calcareo fluorica 12x*, *ferrum phosphate 12x*, and *silicea 12x* would cure all skin diseases.

The leaflets entitled "I am calling this sheet my No. 17 Letter" contained specific statements which represented and suggested that the *calcareo fluorica 12x*, *ferrum phosphate 12x*, *silicea 12x*, and *kali muriaticum* would cure all skin diseases and chronic ailments; that the leaflets entitled "Letter No. 18" contained specific statements which represented and suggested that the *ferrum phosphate 6x*, *calcareo fluorica 6x*, *silicea 6x*, *kali muriaticum*, *kali phosphate*, *magnesia phosphate 3x*, and *calcareo phosphate* constituted a treatment for Hodgkin's disease; that the *natrum sulfate*, *calcareo phosphate*, *ferrum phosphate 6x*, *kali phosphate*, and *magnesia phosphate 3x* constituted a treatment for diabetes; that the *calcareo phosphate*, *ferrum phosphate 6x*, *kali phosphate*, *kali sulfate*, *natrum sulfate*, and *silicea 6x* constituted a treatment for asthma; that the *calcareo fluorica 6x* and *kali phosphate* constituted a treat-

ment for high blood pressure and many heart conditions; that the *silicea*, *ferrum phosphate*, and *kali sulfate* would cure sinus infections; that the *kali phosphate*, *magnesia phosphate 3x*, and *kali muriaticum* would restore impaired circulation to normal; and that the *magnesia phosphate*, *kali phosphate*, and *ferrum phosphate* would cure shingles.

The booklets entitled "Supplement Letter No. 19" contained specific statements which represented and suggested that the *magnesia phosphate* constituted a remedy for coronary thrombosis; that the *kali phosphate*, *ferrum phosphate*, and *calcareum phosphate* would cure Bright's disease; that the *natrum phosphate* and *natrum sulfate* constituted a remedy for gallbladder attack; that the *kali sulfate* would cure psoriasis; and that the *calcareum fluorica*, *kali phosphate*, and *ferrum phosphate* would bring high blood pressure back to normal in most cases.

The booklets entitled "Supplement Letter No. 6" contained specific statements which represented and suggested that the *ferrum phosphate* would afford relief and a possible cure for asthma and that the *calcareum fluorica*, *calcareum phosphate*, and *calcareum sulfate* would relieve and cure eczema and other skin ailments.

The above-mentioned statements, both general and specific, were false and misleading since the articles, singly or in combination, did not constitute adequate and effective cure, mitigation, treatment, and prevention of the diseases and conditions stated and implied, and the articles would not fulfill the promises of benefit made for them.

The articles were alleged to be misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: March 29, 1954. Default decree of condemnation and destruction.

4335. Misbranding of Weldon tablets. U. S. v. 492 Packages, etc. (F. D. C. No. 36175. Sample No. 26480-L.)

LABEL FILED: December 7, 1953, District of New Jersey.

ALLEGED SHIPMENT: On or about September 17, 1952, from Cleveland, Ohio.

PRODUCT: 492 packages of *Weldon tablets* at Atlantic City, N. J., in possession of George S. Bross, doing business as Weldon, Inc., together with a number of form letters entitled "Dear Friend."

RESULTS OF INVESTIGATION: The product originally was shipped in bulk, and after its receipt by the consignee, it was repackaged and relabeled with the *Weldon* label. The form letters were caused to be printed by the consignee and were distributed in the mail to his customers.

LABEL, IN PART: (Package) "*Weldon* This package contains 65 tablets. Active ingredients: Sodium Salicylate $2\frac{1}{2}$ grains, Powdered Extract of Cimicifuga $\frac{1}{8}$ grain, Powdered Extract of Pokeroor (Phytolacca) $\frac{1}{8}$ grain. For The Relief Of The Discomfort Of Muscular Aches And Pains Distributed By: *Weldon, Inc.*, Atlantic City, N. J."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the above-mentioned form letters accompanying the article were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for rheumatism, arthritis, and sciatica. The article was not an adequate and effective treatment for such conditions. The article was misbranded while held for sale after shipment in interstate commerce.