

catarrh, catarrhal deafness, enlarged tonsils, sinus troubles, pyorrhea, eye troubles, goiter, apoplexy, neck, shoulder and arm neuralgia, brachial neuralgia, draining sinuses, head noises, dizziness, tonsillitis, sinus congestion, bronchitis, bronchial asthma, eyestrain and crossed eyes, mastoid abscess, angina pectoris, mental aberration, curvature of the spine, exophthalmic goiter, laryngitis, various heart troubles, and many other distressing conditions which are benefited by improved circulation; that it constituted an effective and competent self-administered home treatment of many serious and painful disorders; that it would bring about the restoration of normal circulation; that it would give complete relief with no other treatment; that it was the best possible self-administered treatment for the relief of that great intractable group of head and throat disorders so disappointingly treated by other measures, that is, that it was an effective and competent treatment for said disorders; and that it would relax the cervical spine; whereas it was not an effective or competent treatment for such purposes.

On October 14, 1940, the defendant having entered a plea of nolo contendere, the court imposed a fine of \$50.

**373. Misbranding of Rogers' Mineral Extract. U. S. v. Lafayette Rogers (The Rogers Mineral Co.) Plea of nolo contendere. Fine, \$25. (F. D. C. No. 2111. Sample No. 61879-D.)**

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

On September 25, 1940, the United States attorney for the Southern District of Alabama filed an information against Lafayette Rogers, trading as the Rogers Mineral Co., Cullomburg, Ala., alleging shipment on or about January 25, 1940, from the State of Alabama into the State of Mississippi of a quantity of Rogers' Mineral Extract which was misbranded. The article was labeled in part: "Rogers' Mineral Extract Formerly Known as Acid Iron Earth."

Analysis showed that the article was a water solution containing approximately 6 percent of mineral matter, mainly, iron, aluminum, and sodium sulfates.

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 internal and external treatment of indigestion, liver, kidneys and blood, hemorrhage of lungs, early stages of consumption, lung trouble, diarrhea or any bowel trouble, pellagra, rheumatism, cuts, burns, sores of all kinds, bruises, scalds, inactive liver, ulcerated stomach, liver and kidney trouble, flux and dysentery and other spring and summer diseases, run-down condition, ulcers, early stages of eczema, backache and general weakness, "T. B. of the bone," and skin diseases; that it was efficacious to prevent malaria, to regulate the appetite and to "cause the food to assimilate, which means strength, health and happiness"; that it was efficacious as a blood purifier; would remove pimples from the face; that it was a natural remedy and purifier which would cooperate with the blood system and action of the body, and thus give nature an opportunity to restore to the body that which it had lost; that it would cause the body to regain strength and its proper functioning power; that it possessed healing power; that it would insure health; that it was efficacious as a system builder; that it was efficacious to prevent cholera in hogs and chickens, and that it was efficacious in the treatment of sorehead in chickens; whereas it was not efficacious for such purposes.

On November 8, 1940, the defendant entered a plea of nolo contendere and the court imposed a fine of \$25.

**374. Misbranding of Sun Dried Nova Scotia Dulse. U. S. v. Gus E. Sjoberg (Coffin Fish Co.). Plea of nolo contendere. Fine of \$150 on count 1. Imposition of sentence suspended on count 2 and defendant placed on probation for 9 months. (F. D. C. No. 2094. Sample Nos. 73116-D, 83523-D.)**

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

On August 22, 1940, the United States attorney for the Western District of Washington filed an information against Gus E. Sjoberg, trading as the Coffin Fish Co. at Seattle, Wash., alleging shipment on or about August 23 and December 27, 1939, from the State of Washington into the States of California and Oregon of quantities of dulse that was misbranded. It was labeled in part: "Sun Dried Nova Scotia Dulse \* \* \* Imported and Packed by Coffin Fish Co. Seattle, U. S. A."

Examination showed that the article was a dark brown vegetable material, apparently dried seaweed.