

the user feel like a new person, and would prevent toxins and impurities from developing and from being carried to every part of the body, were false and misleading as the article was not so effective.

Analysis of a sample of McBrady's Hair Pomade showed the product to consist essentially of a small proportion of a fatty acid such as stearic acid incorporated in a petrolatum and wax base. The article was alleged to be misbranded in that the statement in the circular accompanying the drug, which represented and suggested that it was efficacious in the cure, mitigation, treatment, or prevention of stubborn and falling hair; that it would give the hair a better chance to grow and cause it to grow faster, and would soften and limber the hair, were false and misleading as the product would not be so effective.

On October 7, 1942, a plea of guilty having been entered, the court imposed upon the defendant a sentence of 1 hour in the custody of the United States marshal.

888. Misbranding of saltpetre. U. S. v. Leon A. Achkinsy (Moore Drug Co.).
Plea of nolo contendere. Fine, \$150 and 2 years' probation. (F. D. C. No. 7704. Sample No. 83806-E.)

On October 19, 1942, the United States attorney for the Eastern District of Louisiana filed an information against Leon A. Achkinsy, trading as Moore Drug Co., New Orleans, La., alleging shipment on or about September 19, 1941, from the State of Louisiana into the State of Texas of a quantity of saltpetre.

The article was alleged to be misbranded in that the statements on the carton, representing and suggesting that it was "Antiseptic, Diaphoretic, Diuretic, Useful in Gastro-Intestinal Catarrh, Fevers, Asthma, Dropsy, Rheumatism, Etc." were false and misleading since the drug was not an internal antiseptic, a diaphoretic, or diuretic, and it would not be efficacious in the cure, mitigation, treatment, or prevention of the diseases mentioned, or the similar conditions suggested by the abbreviation "Etc."

On October 28, 1942, a plea of nolo contendere having been entered, the court imposed a fine of \$150. The imposition of a jail sentence was suspended and the defendant placed on probation for a period of 2 years.

889. Misbranding of Crab Orchard concentrated mineral water. U. S. v. Crab Orchard Mineral Water & Crystal Co., Inc. Plea of guilty. Fine, \$100 and costs. (F. D. C. No. 5572. Sample No. 27448-E.)

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

On or about August 29, 1942, the United States attorney for the Eastern District of Kentucky filed an information against Crab Orchard Mineral Water & Crystal Co., Inc., Crab Orchard, Ky., alleging shipment in the name of L. H. Goodwin & Co. on or about March 23, 1940, from the State of Kentucky to the State of Ohio of a quantity of Crab Orchard concentrated mineral water.

Analysis of a sample of this product showed that it contained dissolved mineral matter, chiefly magnesium and sodium sulfates, with smaller amounts of other salts.

The article was alleged to be misbranded in that statements in the labeling which represented and suggested that it would be efficacious in the treatment and alleviation of conditions for which a sojourn at a mineral spring health resort is customarily prescribed; that it would be efficacious in the relief of inveterate chronic diseases and in the treatment of sickness and suffering; that it would cleanse the system of poisonous toxins and waste matter, and remove the menaces to health resulting from constipation; that it would be efficacious in the treatment of diseases originating from disordered liver and kidneys, and would prevent attacks upon the blood corpuscles by toxins engendered in the system from defective filtration or cleansing; that it would prevent depletion of the nerve cells, and would safeguard beauty in women and keep men fit; that it would be efficacious in the treatment of constipation, rheumatism, headaches, influenza, auto-intoxication, sleeplessness, indigestion, and colds, and that it would keep the blood stream pure, be efficacious for the treatment of skin blemishes and eruptions, make the complexion youthful, clear, and smooth, keep the system internally clean, improve the appetite, and enable one to sleep and feel better, were false and misleading since the article would not be efficacious for such purposes.

On November 9, 1942, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$100 and costs.