

NATURE OF CHARGE: Adulteration, Section 501 (a) (4), the article contained, for purposes of coloring only, a coal-tar color, dimethylaminoazobenzene, known as Butter Yellow (Colour Index 19), which had not been listed for use in drugs in accordance with the regulations and was other than one from a batch that had been certified in accordance with the regulations.

Misbranding, Section 502 (a), the label statement, "Green Food Color," was false and misleading since it represented and suggested that the article contained a color which was fit for use in coloring foods, whereas the article contained dimethylaminoazobenzene, a noncertified dye which is unfit for use in foods; and, Section 502 (b) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents; in fact, the label bore no statement of the quantity of the contents.

DISPOSITION: July 10, 1945. A plea of guilty having been entered on behalf of the defendant; the court imposed a fine of \$100.

1634. Misbranding of Manna Arabian Tea. U. S. v. Charles W. Nichols. Plea of guilty. Sentence suspended and defendant placed on probation for 2 years. (F. D. C. No. 15528. Sample Nos. 61270-F, 75927-F.)

INFORMATION FILED: June 22, 1945, Southern District of Ohio, against Charles W. Nichols, Cambridge, Ohio.

ALLEGED SHIPMENT: On or about July 25 and August 16, 1944, from the State of Ohio into the States of Louisiana and West Virginia.

PRODUCT: Examination of samples showed that the product consisted of the ground leaves and stems of alfalfa.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circulars entitled "A Treatise on Health" and "Diabetes—its Cause and Cure," in a leaflet entitled "Directions," and in a certain testimonial sheet, enclosed in the packages containing the article, were false and misleading since they represented and suggested that the article would be efficacious to feed the liver first and put it back to work; that it would cause the proper amount of bile to be manufactured; that it would be efficacious to improve the general health; that it would cause acid and gas to cease; that it would purify the blood through the kidneys; that it would be efficacious in the cure, mitigation, treatment, and prevention of constipation, indigestion, ulcers of the stomach, colon, and bladder, neuritis, arthritis, rheumatism, high and low blood pressure, anemia, liver troubles, kidney ailments, excessive fat, underweight, colds, nervousness, heart trouble, colitis, and impaired sight; that use of the article would enable a person to "live to be 100 years old"; that it would be an adequate treatment for colds and flu; that it would break up colds and flu in 24 hours; that it would cure diabetes when used in conjunction with vinegar and saltpeter; that it would be efficacious to reconstruct and build up the body of the diabetic; and that use of the article would correct nutritional deficiencies and balance nutrition. The article would not be efficacious for the purposes represented.

DISPOSITION: June 27, 1945. A plea of guilty having been entered, the court suspended sentence and placed the defendant on probation for 2 years.

1635. Misbranding of Concentra. U. S. v. 120 Packages and 13 Packages of Concentra, and a number of circulars. Default decrees of condemnation and destruction. (F. D. C. Nos. 15803, 16084. Sample Nos. 13445-H, 13449-H, 14609-H.)

LIBELS FILED: March 26 and May 5, 1945, Eastern District of Michigan and Northern District of Ohio.

ALLEGED SHIPMENT: Between the approximate dates of January 29 and April 2, 1945, by Jean Ferrell, Inc., from Chicago, Ill.

PRODUCT: 120 packages of *Concentra* and 5,000 circulars entitled, "Concentra. A Scientifically Compounded Formula Of Vegetables, Fruits And Roots," at Detroit, Mich., and 13 packages of the product and 50 circulars at Toledo, Ohio. Examination showed that the product consisted essentially of powdered plant material, including a laxative drug such as rhubarb root.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the accompanying circulars were false and misleading since they represented and suggested that the article would supply something of nutritional value to the body, and that it would be effective in the treatment of kidney and bladder trouble, rheumatism, spastic colon, overweight, a tired and worn-out feeling, neuritis, goiter, sore and stiff joints, constipation, headaches, arthritis, bad