

RESULTS OF INVESTIGATION: The portion of the product in the jars was contained in the above-mentioned drum when shipped in interstate commerce, and, upon receipt by the consignee, was repacked into the jars. The bulletins were formulated and mimeographed by the consignee.

LIBELED: 6-23-54, E. Dist. Pa.

CHARGE: 502 (a)—the accompanying labeling of the article while held for sale contained false and misleading representations that article was effective in the treatment of headaches, sleeplessness, nervousness, tiredness, high blood pressure, diabetes, arthritis, and low blood pressure, and that lecithin is a dietary essential frequently deficient in human diets.

DISPOSITION: 9-28-54. Default—destruction.

4577. Alfalfa meal, alfalfa seed, and powdered mixture of alfalfa meal and seed.
(F. D. C. No. 36193. S. Nos. 38-979/82 L, 38-984/5 L.)

QUANTITY: 300 100-lb. bags of *alfalfa meal*, 1 100-lb. drum of *alfalfa seed*, and 19 100-lb. drums, 6 cases, 12 8-oz. btls. each, 33 cases, 12 200-capsule btls. each, and 11 cases, 12 300-tablet btls. each, of a *powdered mixture of alfalfa meal and seed* at Pulaski, Va., in possession of Lucerne Corp.

SHIPPED: (Alfalfa meal) 10-9-52, from Vernalis, Calif., and (alfalfa seed) 3-17-53, from Crows Landing, Calif.

LABEL IN PART: (Btl.) "Pulvacerne."

ACCOMPANYING LABELING: Pamphlets entitled "The Pulvacerne Story."

RESULTS OF INVESTIGATION: The Lucerne Corp. caused portions of *alfalfa meal* and *alfalfa seed*, which had been shipped to it in bulk drums, to be mixed, powdered, capsuled, tableted, and labeled, and caused also the above-mentioned pamphlets to be associated with the article in the drums and in the bottles.

LIBELED: On or about 12-22-53, W. Dist. Va.

CHARGE: 502 (a)—the labeling of the articles while held for sale contained false and misleading representations that the articles constituted an adequate and effective treatment for the pain and swelling of arthritis and rheumatism.

DISPOSITION: 3-23-54. Consent—claimed by Lucerne Corp. The *alfalfa meal* was sold for use in the manufacture of animal feed and the *alfalfa seed* was sold for planting purposes. The *powdered mixture of alfalfa meal and seed* was destroyed, except for 1 case of 12 200-capsule btls. which was used for clinical testing.

4578. Dried whole leaves. (F. D. C. No. 37018. S. No. 74-044 L.)

QUANTITY: 600 ½-lb. bags at Santa Monica, Calif., in possession of Windsor Llewellyn, d/b/a Maya-Leaf Importers.

SHIPPED: 2-9-54, from Poaz, Costa Rica.

ACCOMPANYING LABELING: Pamphlets designated "Maya-Leaf An infusion for relief from Rheumatoid Arthritis."

RESULTS OF INVESTIGATION: The above-mentioned pamphlets were printed for the consignee and were brought by him into association with the product. It was assumed that the product consisted of dried leaves from the plant *Cassia reticulata*, Willd.

LIBELED: 7-26-54, S. Dist. Calif.

CHARGE: 502 (a)—the accompanying labeling of the article while held for sale contained false and misleading representations that the article was an effective treatment for arthritis, rheumatism, stomach infections, colds, dysentery, and high blood pressure.

DISPOSITION: 8-16-54. Default—destruction.

4579. Uranium ore. (F. D. C. No. 37057. S. No. 85-865 L.)

QUANTITY: 5 tons at Canistota, S. Dak., in possession of Joel J. Strom, t/a Canistota Uranium Health Center.

SHIPPED: During May 1954, from Butte, Mont.

ACCOMPANYING LABELING: Booklet entitled "Health Is Your Most Prized Treasure," a flyer designated "Merry Widow Mine," and leaflets designated "Radioactivity Does Wonders . . . Health Is Your Most Prized Treasure."

RESULTS OF INVESTIGATION: The *uranium ore* was stored after shipment in the walls and under the floor of a one-room cabin known as the Canistota Uranium Health Center. The room was provided with benches upon which the patient would sit for a period of 1 hr. while undergoing the "treatment" provided by the purported radioactivity of the ore. The accompanying labeling of the ore was displayed on the premises of the Canistota Uranium Health Center, and was distributed by the consignee to prospective patients.

LIBELED: 8-24-54, Dist. S. Dak.

CHARGE: 502 (a)—the accompanying labeling of the article while held for sale contained false and misleading representations that the article provided an adequate and effective treatment for arthritis, rheumatism, asthma, sinus trouble, and skin disorders.

DISPOSITION: Joel J. Strom, claimant, filed an answer on or about 9-14-54, denying that the article was misbranded as alleged in the libel. Thereafter, the Government served interrogatories upon the claimant, which were answered by him showing, among other things, that the article was transported from Montana in a truck owned by the claimant. A motion to amend the libel was then filed by the Government to add the charges that when the article was introduced into interstate commerce it was misbranded (1) under 502(a) in that its accompanying labeling, namely, the above-mentioned booklet and flyer, contained false and misleading representations as described above and (2), in the alternative, under 502(f) (1) in that its labeling failed to bear adequate directions for use in the treatment of the diseases and conditions for which the article was intended.

On 12-15-54, an order to amend the libel as proposed in the Government's motion was entered, and, pursuant to motion by the claimant an order was entered for the withdrawal of the claimant's claim and answer. Thereafter, on the same day, a decree of condemnation and destruction was entered against the article.

4580. Triethylene glycol and vaporizer device. (F. D. C. No. 36835. S. Nos. 78-696/7 L.)

QUANTITY: An unknown number of 4-oz. btls. of *triethylene glycol* and an unknown number of cartons containing 1 *Insect-O-Lite vaporizer*, 1 1-oz. bag of *Insectane*, and 1 4-oz. btl. of *triethylene glycol*, at Cincinnati, Ohio.

SHIPPED: *Triethylene glycol* was shipped in bulk from South Charleston, W. Va., on 3-6-54, 4-22-54, and 4-24-54.