

to Miami, Fla., of quantities of Hygena which was misbranded. The article was labeled in part: (Carton) "Hygena Powder Astringent \* \* \* Hygena for the Chiropodist."

Analysis showed that the article consisted essentially of Epsom salt, boric acid, and ammonium alum, perfumed with volatile oils including oil of peppermint. A bacteriological examination showed that the article was not antiseptic.

Misbranding of the article was charged (a) in that a circular enclosed in the package contained statements regarding the therapeutic and curative effects of the article; that the said statements were false and fraudulent representations that the article was effective, among other things, as a relief for swollen and aching feet; effective for irrigating, swabbing, and dressing infected cases, to reduce inflammation, to control the infection of inflamed, irritated, and infected wounds, skin abrasions, and affections of the lining surface of the several natural cavities of the body, and to reduce swelling and allay inflammation; effective as a treatment, remedy, and cure for wounds, boils, sores, infections, hemorrhoids, eruptions of any kind, erosion, leucorrhea, and endocervicitis; effective to correct unpleasant personal odors by removing decaying waste material in the vagina, and to improve the general health of women; effective to allay inflammation of the gums, and as a treatment for soft, flabby, receding gums and after the extraction of teeth; effective as a treatment, remedy, and cure for stomatitis, gingivitis, pyorrhea, bleeding gums, Vincent's angina, and to allay the pain and soreness; effective as a treatment for spongy and receding gums and in cases associated with looseness of the teeth; and effective to promote a healthy condition of the gums and oral cavity; (b) in that a circular enclosed in the package contained the statements, to wit, "wherever an \* \* \* Antiseptic is needed" and "as a vaginal douche; it is \* \* \* antiseptic"; that the article was not antiseptic when used as directed; that the aforesaid statements were false and misleading.

On March 13, 1936, a plea of nolo contendere having been entered, a fine of \$50 was imposed.

W. R. GREGG, *Acting Secretary of Agriculture.*

**25828. Adulteration and misbranding of Stardom's Hollywood Diet and Stardom's Health Diet. U. S. v. Hollywood Diet Corporation and George C. Riley. Pleas of guilty. Fines, \$50 and costs. (F. & D. no. 35957. Sample nos. 62771-A (17172-B), 62773-A (15009-B), 62775-A (20652-B), 64684-A, 65442-A (2239-B), 71526-A (20653-B).)**

These products were represented to be rich in vitamins but in fact were not rich in vitamins and contained no appreciable amounts of vitamins A, C, and D. The labels bore false and fraudulent curative and therapeutic claims. Certain shipments of the Hollywood Diet were short-weight.

On January 29, 1936, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Hollywood Diet Corporation and George C. Riley, Chicago, Ill., alleging shipment by them in violation of the Food and Drugs Act as amended, in the period from on or about October 6, 1933, to June 14, 1934, from the State of Illinois into the States of New York, Wisconsin, and Michigan of quantities of Stardom's Hollywood Diet and Stardom's Health Diet which were adulterated and misbranded. The articles were labeled in part, respectively, as follows: (Cartons) "Stardom's Hollywood Diet A Reducing Food Containing Vitamins A-B-C-D-E No Drugs No Laxatives A Pure Food Product \* \* \* Hollywood Diet Corporation \* \* \* Hollywood Chicago New York"; (cartons) "Stardom's Health Diet A Reducing Aid Containing Vitamins A-B-C-D."

Analysis showed that the articles consisted essentially of a large proportion of soybean flour, smaller proportions of cocoa, sugar, and salt. Biological examination showed that neither article contained any appreciable amounts of vitamins A, C, or D.

Adulteration of the products as drugs was charged under the allegations that they were represented to be products rich in vitamins and which contained vitamins A, C, and D; that they were not rich in vitamins and contained no appreciable amounts of vitamins A, C, and D; that their strength and purity fell below the professed standard and quality under which they were sold.

Adulteration of the products as foods was charged under the allegations that products not rich in vitamins and which did not contain vitamins A, C, and D in appreciable amounts had been substituted for products rich in vitamins and which contained vitamins A, C, and D, which they purported to be.

Misbranding of the Hollywood Diet as a drug was charged (a) under the allegations that there were borne on the cartons containing the article the statements, "Containing Vitamins A \* \* \* C-D", "Vitamins A, \* \* \* C, D," and "Rich In Vitamins"; that circulars attached to the packages in one of the shipments contained the statements, "It contains effective quantities of Vitamins A \* \* \* C, D", "containing Vitamins A \* \* \* C, D", "Contains vitamins A \* \* \* C, D", and "contained Vitamins A \* \* \* C, D", that the article did not contain appreciable amounts of vitamins A, C, or D; that the said statements were false and misleading. Misbranding of the Hollywood Diet as a drug was further charged under the allegations (a) that the labels of the cartons in certain shipments bore statements regarding the curative and therapeutic effects of the article; that the said statements falsely and fraudulently represented that the article was effective as a method of weight control, and to ensure radiant health, and avoid vitamin starvation; effective as a vitalizer, normalizer, and slenderizer; effective as a treatment for overweight and acidity; effective to reduce normal healthy weight, to prevent sagging wrinkled skin, strained and tired look and feeling, and to prevent fat and cause fat to vanish; effective to convert into energy but not into fat; effective as a nerve and brain food; and effective to assist normal body activities in burning up existing fat as quickly as it can be safely done; (b) under the allegations that the cartons and circulars in one shipment bore statements regarding the therapeutic and curative effects of the article; that the said statements falsely and fraudulently represented that the article was effective to supply the system with vitamins A, C, and D; effective to eliminate surplus fat; effective to regain and retain slender, youthful figures; effective as a method of weight control; effective to maintain good health and to ensure normal healthy weight; effective in causing surplus fat to disappear to cause slenderizing, to be reducing by supplying nourishment without excess calories, and to mold the body into slender proportions; effective to burn up existing fat as quickly as it can be done safely; effective to cause flabby tissues to become firm and slender; effective as a treatment for ailments of the nervous system, and for those suffering from mental and nervous breakdown, and exhausted vitality; effective to ensure a healthy body, to prevent sagging, wrinkled skin and strained, tired look and feeling, and to reduce weight; effective as a treatment for obesity by causing surplus fat to vanish; effective to produce energy but not fat, to prevent danger to the heart, kidneys, and liver, to prolong life, and to cause bulgy, flabby lines to become firm and slender; effective to correct acid conditions, to prevent disease, and give the entire digestive system a much needed rest; and effective to promote normal growth and strengthen resistance to colds and similar infections, to prevent tooth decay and scurvy, to develop strong bones, to build strong bones and teeth, rich blood, and nerve tissue; to help regulate normal body activities, and to reduce unnecessary pounds.

Misbranding of the Health Diet as a drug was alleged under the allegations that a circular attached to each of the cartons bore the statements, "Contains vitamins A \* \* \* C, D" and "containing Vitamins A \* \* \* C, D", and that there were borne on the cartons the statements, to wit, "containing vitamins A \* \* \* C-D" and "Rich in Vitamins"; that the article was not rich in vitamins and contained no appreciable amounts of vitamins A, C, or D; that the aforesaid statements were false and misleading. Misbranding of the Health Diet as a drug was further charged under the allegations that there appeared on the cartons and in a circular attached to the cartons statements regarding the therapeutic and curative effects of the article; that the said statements falsely and fraudulently represented that the article was effective to supply the system with vitamins A, C, and D; effective as a reducing aid and to eliminate surplus fat and as a method of weight control; effective to maintain good health, to cause slenderizing, and to be reducing by supplying nourishment without excess calories; effective to maintain the necessary reserve of the human body with nourishing elements that will not end in fat and to ensure radiant health; effective to cause slenderness and to banish fat; effective to produce energy but not fat, and to induce sleep; effective to prevent strain on the heart, kidneys, and liver and to prolong life; and effective to cause bulgy, flabby lines to become firm and slender.

Misbranding of the Hollywood Diet as a food was alleged (a) under the allegations that there were borne on the cartons the statements, "A Reducing Food containing Vitamins A \* \* \* C-D \* \* \* Stardom's instantly dispels hunger, as it supplies your system with food elements \* \* \* such as Vi-

tamins A, \* \* \* C, D, \* \* \* Rich in Vitamins", that there were contained in circulars accompanying one of the shipments the statements, "A Reducing Food containing Vitamins A \* \* \* C-D", "it supplies your system with Vitamins A \* \* \* C, D", "a Pure Food Product containing Vitamins A \* \* \* C, D", and "It contains effective quantities of Vitamins A \* \* \* C, D", and in that there were borne on the cartons in certain shipments the statement, "Net Contents Seven Ounces"; that the article was not a reducing food, which contained vitamins A, C, and D; that it contained no appreciable amounts of the said vitamins, was of no value as a reducing food; that the cartons in certain shipments contained less than 7 ounces of the article; that the aforesaid statements were false and misleading; (b) under the allegation that the article in certain shipments was in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the package. Misbranding of the Health Diet as a food was alleged in that there were borne on a circular attached to the cartons the statements, to wit, "Contains Vitamins A \* \* \* C, D", and "a Pure Food Product containing Vitamins A \* \* \* C, D", and that there was borne on the cartons the statements, to wit, "containing Vitamins A \* \* \* C-D" and "Rich in Vitamins"; that the article contained no appreciable amounts of vitamins A, C, and D; that the aforesaid statements were false and misleading.

On February 14, 1936, pleas of guilty having been entered, fines totaling \$50 and costs were imposed.

W. R. GREGG, *Acting Secretary of Agriculture.*

**25829. Misbranding of Kompo Bile Salts Tablets, and Oxidine. U. S. v. Joe W. Link (Dr. W. A. Link Medicine Co.). Trial by Judge without a jury. Judgment of guilty. Fine, \$300. (F. & D. no. 36019. Sample nos. 11337-B, 11340-B.)**

False and fraudulent therapeutic and curative claims were made for these articles.

On November 9, 1935, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Joe W. Link trading as Dr. W. A. Link Medicine Co., Dallas, Tex., alleging shipment in violation of the Food and Drugs Act as amended, on or about August 25, 1934, from Dallas, Tex., to New Orleans, La., of a number of bottles of Kompo Bile Salts Tablets, and Oxidine which were misbranded. The articles were labeled in part: (Bottle) "Genuine Kompo Combined with Bile Salts Compound Easy To Take Tablets \* \* \* The Kompo Co. Atlanta, Georgia"; (bottle) "Oxidine \* \* \* Manufactured By W. S. Kirby Co. Dallas, Texas U. S. A."

Analyses showed that the Kompo Bile Salts Tablets contained small proportions of iron, calcium, and magnesium compounds, bile acid, extracts of plant drugs, and phenolphthalein (approximately one-half grain per tablet), and that the Oxidine consisted essentially of cinchona alkaloids (4.1 grains per fluid ounce), an iron compound, extracts of plant drugs including a laxative drug, sugar, and water.

Misbranding of the tablets was charged under the allegations that a circular enclosed in the package contained statements regarding the curative or therapeutic effects of the article; and that the statements were false and fraudulent statements that the article was effective, among other things, to end intestinal poisoning; effective as a treatment, remedy, and cure for headaches, coated tongue, bad taste, fetid breath, lack of appetite, gas, bloating, indigestion, heartburn, liver and kidney diseases, gallstones, heart trouble, hardening of the arteries, neuritis, chronic rheumatism, neurasthenia, insomnia, ulcers, cancer, sluggishness, depression, affections of the brain, muscles, and nerves and dyspepsia due to intestinal poisoning, and biliousness arising from constipation; and effective to give new energy, to keep vigor and vitality of youth; to secure freedom from disease and pain, and to insure a ripe old age.

Misbranding of the Oxidine was charged under the allegations that the cartons bore and a circular enclosed therein contained statements regarding the curative and therapeutic effects of the article, and that the said statements were false and fraudulent statements that the article was effective, among other things, to act on the liver; effective as helpful to the organism and to insure health; effective to guard men, women, and children against disease; effective as a treatment, remedy, and cure for tired feeling, pains in the back, flu and la grippe, dull feeling in the head, sleeplessness, bad taste in the mouth, head-