

26484. Adulteration and misbranding of Slim. Misbranding of Correcol and Hauser Potassium Broth. U. S. v. 119 Packages of Slim. U. S. v. 95 Packages of Correcol and 146 Packages of Hauser Potassium Broth, Default decrees of condemnation and destruction. (F. & D. nos. 37254, 37255, 37256. Sample nos. 66101-B, 66102-B, 66103-B.)

These cases involved interstate shipments of Slim, Correcol, and Hauser Potassium Broth. Slim was represented on the package as made of herbs and fruits and on an accompanying leaflet as containing no drugs and as being absolutely harmless, when it consisted essentially of cathartic drugs and it was not absolutely harmless; and the package bore a false and fraudulent representation regarding the curative or therapeutic effect of the article. Correcol was represented on the package as a food, when it was not a food, and the package bore false and fraudulent representations regarding its curative or therapeutic effect. The Hauser Potassium Broth was essentially a mixture of plant materials containing no greater proportion of potassium than would ordinarily be found in such materials, and the package bore a false and fraudulent representation regarding the curative or therapeutic effect of the article.

On February 26, 1936, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 119 packages of Slim, 95 packages of Correcol, and 146 packages of Hauser Potassium Broth at Boston, Mass., alleging that the articles had been shipped in interstate commerce on or about January 8, January 22, and February 3, 1936, from Milwaukee, Wis., by Modern Health Products, Inc.; that Slim was adulterated and misbranded; and that the remaining products were misbranded in violation of the Food and Drugs Act.

Analyses showed that Slim consisted of senna (approximately 70 percent), orange peel, anise, bladder wrack, buckthorn bark, dried apple, and century flowers; that Correcol consisted largely of seeds of *Lallemantia royleana* (a mucilaginous seed) and a smaller quantity of karaya gum; and that the Hauser Potassium Broth consisted essentially of a mixture of ground dried plant materials including seaweed, alfalfa leaves and stems, okra, potato starch, beet leaves, and rhubarb leaves.

Slim was alleged to be adulterated in that it contained added deleterious ingredients, namely, senna, bladder wrack, and buckthorn bark, which might have rendered the article injurious to health. Said article was alleged to be misbranded in that the statement on the package, "A * * * Beverage * * * A scientific blend of choice herbs and * * * fruits", and the statement in a leaflet accompanying the package, "Slim contains no drugs and is absolutely harmless", were false and misleading since the article consisted essentially of cathartic drugs and was not absolutely harmless. Said article was alleged to be misbranded further in that the statements regarding the curative or therapeutic effect of the article, borne upon the package, "Slim", "Modern Health Products", "A scientific blend of choice herbs and unsprayed fruits which aids in normalizing overweight in a perfectly natural and harmless manner", falsely and fraudulently represented that the article was capable of producing the effect claimed.

Correcol was alleged to be misbranded in that the statement on the package, "Colon Food", was false and misleading since the article was not a food. Said article was alleged to be misbranded further in that the statements regarding the curative or therapeutic effect of the article, borne upon the package, "Correcol The New Corrective Colon Food", "Modern Health Products", "* * * as colonic action becomes more normal take Correcol only twice or once each day until entirely normal", and "* * * for the natural correction of intestinal sluggishness without the pain of irritation of artificial laxatives * * *", falsely and fraudulently represented that the article was not an artificial laxative.

Hauser Potassium Broth was alleged to be misbranded in that the designation of the article borne upon the package, "Potassium Broth", was false and misleading since the article was essentially a mixture of plant materials containing no greater proportion of potassium than would ordinarily be found in plant materials. Said article was alleged to be misbranded further in that the statement regarding the curative or therapeutic effect of the article borne upon the package, "Modern Health Products", falsely and fraudulently represented that the article could be depended upon to maintain or restore the health of the user.

On June 8, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the products be destroyed.

M. L. WILSON,
Acting Secretary of Agriculture.

26485. Misbranding of Pulvex Worm Capsules. U. S. v. 61 Packages of Pulvex Worm Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 37290. Sample no. 56101-B.)

False and fraudulent curative and therapeutic claims were made for this article.

On March 5, 1936, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of a quantity of Pulvex Worm Capsules at Cincinnati, Ohio, alleging that the article had been shipped in interstate commerce on or about October 14, 1935, by William Cooper & Nephews, Inc., from Chicago, Ill., to Cincinnati, Ohio, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Package) "Pulvex Worm Capsules for Puppies and Dogs * * * William Cooper & Nephews, Inc., Chicago."

Analysis showed that the article consisted essentially of castor oil, chenopodium oil, and a small quantity of arecoline.

Misbranding of the article was charged under the allegation that the label bore and a leaflet and circular enclosed in the package contained the following statements concerning the therapeutic or curative efficacy of the article, and that said statements were false and fraudulent, to wit: That the article was effective to expel roundworms (ascarids) and hookworms, to stay the ravage effects of worms, to promote the comfort and health of dogs, to produce the said effects within 2 hours after administration to dogs of capsules containing the said article.

On April 7, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

M. L. WILSON,
Acting Secretary of Agriculture.

26486. Misbranding of Turner's Solution for Poultry. U. S. v. 6 Bottles and 5 Jugs of Turner's Solution for Poultry. Default decree of condemnation and destruction. (F. & D. nos. 37335, 37336. Sample nos. 52790-B, 52795-B.)

These cases involved an interstate shipment of an article labeled "Turner's Solution for Poultry", the labels of which bore false and fraudulent representations regarding the curative or therapeutic effects of the articles with respect to diseases of poultry.

On March 16, 1936, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of an article contained in six bottles, and an article contained in five gallon jugs, labeled "Turner's Solution for Poultry", at Robinson, Ill., alleging that the article had been shipped in interstate commerce on or about November 14, 1935, by A. M. Turner Poultry Products Co., Ltd., from Sidney, Ohio, and that it was misbranded in violation of the Food and Drugs Act as amended.

Analysis of the article contained in the six bottles showed that it was a solution of potassium permanganate (0.2 percent) and small proportions of manganese and iron sulphates in water. Analysis of the article contained in the five jugs showed that it was a solution of iron sulphate (5 percent) in water.

The article in the six bottles was alleged to be misbranded in that the statement regarding its curative or therapeutic effect, borne on the label, "To be used in the treatment and control of Coccidiosis in Poultry * * * as a preventive use one teaspoonful to each two gallons of drinking water", falsely and fraudulently represented that the article was capable of producing the effect claimed. The article contained in the five jugs was alleged to be misbranded in that the statements regarding the curative or therapeutic effect of the article, borne on the label, "Through actual farm tests Turner's Solution has proven very efficient in preventing worms, by being sure that the birds get some of it in their system each day. Many flock owners are raising chickens very successfully on territory where they were unable to raise chickens at all. If your chickens go lame, blind, etc., use the Turner Worm System and be convinced.