

court an information against the Dr. Parker Medicine Co., Chicago, Ill., and William E. Marsh and William H. Harrison, Jr., officers of the corporation, alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about May 11, 1937, from the State of Illinois into the State of Florida of a quantity of Dr. Parker's Tablets that were misbranded. The article was labeled in part: "Dr. Parker Medicine Company, Chicago, Ills."

Analysis showed that the tablets contained extracts of plant drugs including nux vomica and resinous material, and a small amount of phosphides.

The article was alleged to be misbranded in that certain statements, designs, and devices regarding its therapeutic and curative effects, on the boxes and in a circular shipped with it, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for sluggish kidneys, torpid liver, nervous debility, low vitality, insomnia, impotency, headaches, loss of appetite and stuffy feeling; effective as a help to better health; effective to eliminate waste matter, poisons, and acids from the kidneys; and effective as a treatment for weak, skinny, run-down, nervous, irritable, and tired conditions; effective as a treatment, remedy, and cure for nocturia or excessive urination at night; and effective to eliminate the poisons from the body.

On January 10, 1938, pleas of guilty were entered on behalf of the defendants and the corporation was fined \$200 and each of the individual defendants was fined \$200. Costs were imposed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28351. Adulteration and misbranding of Epsom salts (magnesium sulphate). U. S. v. 506 Packages of Epsom Salts. Default decree of condemnation and destruction. (F. & D. No. 40988. Sample No. 60559-C.)

This product fell below the pharmacopoeial standard since it was deficient in magnesium sulphate and contained a material amount of sodium sulphate. The labeling contained false and fraudulent curative or therapeutic claims and a false and misleading representation that it was sterile, whereas it was not sterile.

On December 8, 1937, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 506 packages of Epsom salts at Albuquerque, N. Mex., alleging that the article had been shipped in interstate commerce on or about August 30, 1937, by the Larche Laboratories from Denver, Colo., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled: "Epsom Salts Magnesium Sulphate."

It was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity prescribed therein, two samples having been found to contain 86.60 percent and 92.65 percent, respectively, of magnesium sulphate, and it contained a material portion of sodium sulphate, whereas the pharmacopoeia provides that Epsom salts shall contain not less than 99.5 percent of MgSO₄ (anhydrous magnesium sulphate); and its own standard of strength, quality, and purity was not stated on the container.

It was alleged to be misbranded in that the statements on the label, "Magnesium Sulphate * * * Nature Made It Pure * * * Hot concentrated, aqueous solutions of magnesium sulphate * * * are extensively used * * * cloths being saturated and applied while hot. The action * * * has the advantage of being sterile. These salts are guaranteed to be technically pure in every detail," were false and misleading in that they represented that the article was pure magnesium sulphate and was sterile; whereas it contained a material portion of sodium sulphate and when used as directed, was not sterile. It was alleged to be misbranded further in that the statement on the label, "used in the treatment of deep seated infections," was a statement regarding the curative or therapeutic effect of the article and was false and fraudulent.

On January 10, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28352. Adulteration and misbranding of Vita-Lac. U. S. v. 29 Cans of Vita-Lac. Default decree of condemnation and destruction. (F. & D. No. 40266. Sample No. 41271-C.)

This veterinary product was labeled to indicate that it consisted of malted buttermilk, whereas it was a mixture of cereal products and buttermilk. The labeling also bore false and fraudulent curative and therapeutic claims.