with, such article so as to create in the mind of the purchaser or prospective purchaser a false or misleading impression or belief in regard to the therapeutic or curative value of such article in the treatment of human ailments or diseases, and from doing or performing any acts for the purpose, or which has the effect of evading the foregoing prohibition.

822. Misbranding of Clearwater's Combination Medicine. U. S. v. Henry P. Clearwater (H. P. Clearwater and Pope Laboratories). Plea of nolo contendere. Fine, $150. (F. D. C. No. 5574. Sample Nos. 24345–E, 26965–E.)

On March 17, 1942, the United States attorney for the District of Maine filed an information against Henry P. Clearwater, trading as H. P. Clearwater and Pope Laboratories, Hallowell, Maine, alleging shipment on or about July 18 and August 12, 1940, from the State of Maine into the States of Pennsylvania and Washington of quantities of Clearwater's Combination Medicine which was misbranded.

The combination consisted of three products. Analysis showed that No. 1 was a pink pill consisting essentially of ferrous carbonate, potassium iodide, calcium glycerophosphate, manganese dioxide, sulfur, and a compound of zinc; that No. 2 was a white tablet containing cascara; and that No. 3 was a pink compressed tablet consisting largely of aspirin and starch.

The article was alleged to be misbranded in that certain statements in the labeling which represented and suggested that it would be efficacious as a reconstructive systemic tonic and would be efficacious in the treatment and prevention of rheumatism and arthritis were false and misleading since it would not be efficacious for such purposes.

On July 16, 1942, the defendant entered a plea of nolo contendere and the court imposed a fine of $150.

823. Misbranding of Blue Ridge Mountain Mineral. U. S. v. Robert T. Sides (C. S. & W. Mineral Co.). Plea of nolo contendere. Fine, $200 and probation for 2 years. (F. D. C. No. 6424. Sample No. 37792–E.)

On April 21, 1942, the United States attorney for the Middle District of North Carolina filed an information against Robert T. Sides, trading as the C. S. & W. Mineral Co., Kannapolis, N. C., alleging shipment on or about February 21, 1941, from the State of North Carolina into the State of South Carolina of a quantity of Blue Ridge Mountain Mineral which was misbranded.

Examination of the article showed that it consisted of a natural mineral which when prepared according to directions on the label, consisted essentially of a dilute solution of ferric sulfate with minute amounts of sulfates of other minerals and some ferric hydroxide in suspension.

The article was alleged to be misbranded in that statements in the labeling which represented and suggested that it would be efficacious in the treatment of high blood pressure, pellagra, nervousness, inability to sleep, nervous indigestion, rheumatism, kidney, bladder and stomach trouble, piles, sore eyes, blood poison, all skin infections, erysipelas or tetter, flux, female complaints, irregularities, all blood diseases, loss of appetite, old sores, bed wetting and all skin infections; that it was a powerful germicide and ferruginous tonic, intestinal astringent and internal hemostatic; that it was efficacious in building up new red blood and would promote normal circulation; that it was efficacious in the treatment of gastric indigestion, and would be efficacious as a tonic for blood disorders, indigestion and other forms of stomach trouble and neuritis; that it was efficacious in the treatment of diarrhea and dysentery; and was efficacious in the treatment of boils, carbuncles, skin disease, eczema, leucorrhea or whites, heart trouble and heartburn, and that the user would derive the benefits usually derived from a sojourn at a health resort, were false and misleading since the product would not be efficacious for such purposes.

On October 19, 1942, the defendant having entered a plea of nolo contendere, the court sentenced him to pay a fine of $200, and placed him on probation for a period of 2 years on the general conditions of probation and the additional condition that he was not to sell any more of the product covered by the information.

824. Misbranding of McFadden 3 Sisters Springs mineral water. U. S. v. Roy A. Whipple and Ruth A. Whipple (McFadden 3 Sisters Springs). Pleas of nolo contendere. Imposition of sentence suspended. (F. D. C. No. 4177. Sample No. 15891–E.)

On October 16, 1941, the United States attorney for the Western District of Arkansas filed an information against Roy A. Whipple and Ruth A. Whipple, copartners trading as McFadden 3 Sisters Springs at Hot Springs, Ark., alleging