

Issued August 21, 1912.

## United States Department of Agriculture, OFFICE OF THE SECRETARY.

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### NOTICE OF JUDGMENT NO. 1560.

(Given pursuant to section 4 of the Food and Drugs Act.)

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#### MISBRANDING OF EXTRACT OF DAMIANA WITH SAW PALMETTO.

On March 1, 1912, the United States Attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Allan-Pfeiffer Chemical Co., a corporation, of St. Louis, Mo., alleging shipment by it, in violation of the Food and Drugs Act, on or about May 3, 1910, from the State of Missouri into the State of Illinois of a consignment of Allan's Compound Extract of Damiana with Saw-Palmetto, which was misbranded. The product was labeled: (On package or carton) "Allan's Compound Extract of Damiana with Saw-Palmetto Alcohol 27½%. The Great Sexual Tonic Nerve and Brain Remedy. For lost manhood, Hysteria, Dizziness, Convulsions, Nervous Prostrations, Premature Old Age, etc. (guaranty clause) Guaranty No. 1991. Allan-Pfeiffer Chemical Co., Manufacturing Chemists St. Louis, Mo. Compound Extract of Damiana with Saw Palmetto. The Great Sexual Tonic. \* \* \* Compound Extract of Damiana with Saw Palmetto is a great Nerve and Brain Remedy. For Lost Manhood, Irritability, Mental Depression, Palpitation of the Heart, Weak Memory, Exhausted Vitality, Errors of youth." (On bottle) "Allan's Compound Extract of Damiana with Saw Palmetto. 27½% Alcohol. Recommended for Lost Manhood, Hysteria, \* \* \* Directions \* \* \* Allan-Pfeiffer Chemical Co., \* \* \* St. Louis, Missouri."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Resin, glycerin, extractive material from damiana, saw-palmetto, and probably sumbul; the balance of the product being water and a small quantity of

volatile oil. Misbranding of the product was alleged in the information for the reason that the label upon the product bore statements, designs, and devices regarding said product and the ingredients and substances contained therein which were false and misleading because they created the impression and belief that said product consisted essentially of extract of damiana with saw-palmetto, whereas in fact it consisted of numerous other ingredients and substances which rendered it deceptive and misleading to label and brand it as extract of damiana with saw-palmetto, and to create and convey the impression and belief to the advantage and benefit of the manufacturer that extract of damiana with saw-palmetto was present in considerable and beneficial quantities, whereas it was not so present. Misbranding was further alleged for the reason that the statement "the great sexual tonic" upon said label and package as aforesaid was deceptive, false, and misleading for the reason that it created and conveyed the impression and belief that said product was a great sexual tonic and possessed aphrodisiac properties beneficial in sexual disorders and the properties of a sexual tonic, whereas in fact it had no such properties, and for the further reason that it was an imitation of and was offered for sale under the name of another article, to wit, "extract of damiana with saw-palmetto".

On March 18, 1912, the defendant company entered a plea of guilty and the court imposed a fine of \$10 and costs.

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., June 4, 1912.

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