

3745. Misbranding of "Mrs. Joe Person's Remedy." U. S. v. 17 Cases * * * of * * *
Mrs. Joe Person's Remedy. Product ordered released on bond. (F. & D. No. 5993.
I. S. No. 118-k. S. No. E-132.)

On October 12, 1914, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 17 cases, each containing one dozen packages of an article known as "Mrs. Joe Person's Remedy," remaining unsold in the original unbroken packages at Columbia, S. C., alleging that the product had been shipped on December 24, 1913, and transported from the State of North Carolina into the State of South Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The retail packages were labeled: "Mrs. Joe Person's Remedy Alcohol: 25 Per Cent No. 2150. Guaranteed under the Food and Drugs Act June 30, 1906. Trade Mark Registered. No. 2150 Guaranteed by Mrs. Joe Person Remedy Company, Kittrell, N. C. Under the Food and Drugs Act June 30, 1906. As an Alternative and a Purifier of the Blood, it is endorsed by all who have used it. It is a Tonic and Nervine, giving good natural sleep to those who are restless. It contains no opiate, narcotic, iodide of potassium, or other mineral, but is purely vegetable. When used as a remedy for Erysipelas, Rheumatism, Eruptions, Eczema, Scrofula, and all diseases that come from impure or impoverished blood or a run down condition of the system, it gives fine results. Excellent for Indigestion and Stomach Troubles, and by building up the system, Nervousness and Nervous Prostration are quickly remedied. For blood poison, give freely large dose for adult, say a wineglassful every 15 minutes until the effect is felt in the head. It gives instant relief in cases of Colic. Adult dose, wineglassful; if necessary, repeat in five or ten minutes. Directions:—Regulate the dose according to age and effect upon the system, giving ordinarily a child five years old a teaspoonful. A grown person, begin with a teaspoonful, and gradually increase to half-wineglassful. Take three times a day, before or after meals, as preferred. For children, the dose may be weakened or sweetened. Price, \$1.00 None genuine without the Signature Mrs. Joe Person, Kittrell, N. C. Nos. 110492."

The bottles were labeled: "When used as a remedy for Erysipelas, Rheumatism, Eruptions, Eczema, Scrofula, and all diseases that come from impure or impoverished blood or a run down condition of the system, it gives fine results. Excellent for Indigestion and Stomach Troubles.—Nervousness and Nervous Prostration are quickly remedied. For blood poison,—It gives instant relief in cases of Colic."

The following words appeared on the carton, to wit, "For Blood Diseases, For Erysipelas, Muscular Rheumatism,—Eruptions and Diseases that come from Impurities of the Blood. For Indigestion and Stomach Troubles. Mrs. Joe Person's Remedy—Blood Purifier It is an antidote for Blood Poison if given freely.—It will relieve Muscular and Inflammatory Rheumatism, Erysipelas, Indigestion, Eczema, Chronic Bilious Colic.—Eruptions, Skin and Blood Diseases and all diseases that come from impure or impoverished blood.—A wonderful remedy for Scrofula and Chronic Ulcers when used in connection with the wash—it also relieves Nervous Prostration and Insomnia. It is a Great Remedy. It is a Boon to Ladies Suffering from Diseases Peculiar to their Sex. It has given perfect satisfaction for Ulceration and Catarrh of the Womb, if used in connection with the wash. In cases of extreme blood poison, administer freely a wineglassful every fifteen minutes."

In the booklet accompanying the retail packages appeared the following: "This may certify that I have had the opportunity of examining the preparation known as Mrs. Joe Person's Remedy and of testing its physiological action and therapeutical applications, and that it is determined to be: (3) A thorough preventive of, and a radical cure for, disorders which depend on deficient blood formations; (4) Peculiarly adapted for the treatment of diseases of women in which these deficiencies are prominent, and for gastro-intestinal disturbances associated with anaemia and chloro-

sis; * * * (6) A remedy the action of which is to restore the blood and the tissues through which it circulates to their normal condition. (signed) W. H. Morse, Consulting Chemist." (page 3) "My remedy cured a case of kidney trouble in my own family * * * I have known it tried * * * for puerperal fever * * * and it cured * * * I have seen two ladies suffering with cancer of the womb (and know of a third) and have seen them perfectly cured, after having used my remedy and wash for about a year." (page 4) "It will absolutely cure blood poison." (page 8) "Stomach Trouble Cured." (page 9) "Indigestion and nervousness permanently cured." "Indigestion and Inflammation of the Stomach Cured." (page 12) "Blood poison. One of the most wonderful cures." (page 13) "Fearful Blood Poison Cured." (page 16) "Poison from Impure Virus Cured." (page 17) "Eczema Cured." "Blood Poison From Cat Bite. * * * soon well again." (page 18) "Mrs. Joe Person's Remedy A Sure Cure for Eczema." (page 19) "Malaria * * * Chills and Fever * * * a complete cure." (page 21) "Rheumatism cured." (page 24) "Carbuncles Cured." (page 26) "Erysipelas * * * cured." (page 28) "Marvelous cures made by Mrs. Joe Person's Remedy." (page 29) "Enlarged Glands of the Neck Cured." (page 30) "Pellagra Cured."

Misbranding was alleged in the libel for the reason that said article of medicine, known as "Mrs. Joe Person's Remedy," consisted of a slightly sweetened hydroalcoholic solution of vegetable drugs; podophyllin and sarsaparilla indicated; alkaloids, minute trace; and was analyzed as follows: Alcohol by volume, 25.33 per cent; sugars, 1.35 grams per 100 cc; total nonvolatile matter, 2.09 grams per 100 cc; no iodid nor salicylate; trace of chlorid, phosphate, and calcium; ash, 0.1 per cent; and contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed upon the packages, cartons, bottles, and booklets; further, in that said words and figures so declared, marked, and printed in and upon the said retail packages, bottles, cartons, and booklets were misleading, false, and fraudulent, and the article of medicine was misbranded regarding the curative or therapeutic effects of such article or any of the ingredients or substances contained therein, within the meaning of the act of Congress, approved on the thirtieth day of June, 1906, as amended by the act of Congress approved on the twenty-third day of August, 1912.

On January 26, 1915, the Mrs. Joe Person's Remedy Co., a corporation, Kittrell, N. C., claimant, having filed its answer to the libel, in which it neither admitted nor denied the truth of the material allegations in the libel, and it appearing to the court that said claimant had executed the bond in the sum of \$200, in conformity with section 10 of the act, it was ordered that the product should be turned over and delivered to said claimant company upon payment of the costs of the proceedings.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., April 19, 1915.