

U. S. DEPARTMENT OF AGRICULTURE,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, CHIEF OF BUREAU.

SERVICE AND REGULATORY ANNOUNCEMENTS.

SUPPLEMENT.

N. J. 4351-4400.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., August 24, 1916.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

4351. Misbranding of "Dr. Thacher's Liver and Blood Syrup." U. S. v. 48 Bottles of "Dr. Thacher's Liver and Blood Syrup." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5858. I. S. No. 8700-h. S. No. E-78.)

On August 17, 1914, the United States attorney for the Southern District of Georgia, 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 48 bottles of "Dr. Thacher's Liver and Blood Syrup," remaining unsold in the original unbroken packages at Savannah, Ga., alleging that the product had been shipped, on or about July 2, 1914, and transported from the State of Maryland into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The retail packages of the article were labeled: "Dr. Thacher's Liver & Blood Syrup 12½% Alcohol, Prepared for Thacher Medicine Co., Chattanooga, Tenn. For Liver Complaint, Biliousness, Constipation, Yellow Jaundice, Malaria, Chills and Fever, Indigestion, Loss of Appetite, Kidney Troubles, Rheumatism, Catarrh, Blood and Skin Diseases, and Female Diseases. 905 Guaranteed under Food and Drug Act, June 30, 1906. Directions One or two teaspoonfuls in water after meals, increase or decrease the dose as needed to move the bowels freely once a day. Children in proportion to age and constitution. Price 50 Cents Read the circular carefully that is wrapped around the bottle." The bottles were enclosed in cartons containing circulars which bore numerous claims or statements regarding the efficacy of the preparation.

It was alleged in the libel that the article was misbranded because the following statements appearing upon said circulars were false and misleading: "Contains no Aloes," "It contains Iodide Potassium and Sarsaparilla combined with May Apple, Gentian, Juniper Berries, Buchu Leaves, Dandelion Root, Yellow Dock Root," and because said product contained no ingredient or combination of ingredients capable of producing the following therapeutic effects, which were claimed upon the said bottle labels, cartons, and circulars: (On bottle) "For Liver Complaint * * * Yellow Jaundice, Malaria,

Chills and Fever, Indigestion, * * * Kidney Troubles, Rheumatism, Catarrh, Blood and Skin Diseases, and Female Diseases." (On carton) "Dr. Thacher's Liver and Blood Syrup will cure All Liver Complaints, Biliousness, Costiveness, Drowsiness, Yellow Jaundice, And All Kidney Complaints, Impure or Bad Blood including Scrofula, Salt Rheum, Erysipelas, Pimples, and All Diseases of A Syphilitic Character, Also Loss of Appetite, Dyspepsia, Sour Stomach, Sleeplessness, Pains in Back and Sides, Sick Headache, and in Cases of Female Diseases The Syruy has given Immediate Relief." (In English and German) "A Pure Liver Regulator. The Best Blood Purifier." (On large circular) "This preparation has been before the public for over half a century, * * * nor has it ever failed to do all that we claim for it," "The testimony of thousands who have used it prove beyond a doubt that it will perform all the cures claimed for it," " * * * it not only acts upon the Liver, but is so compounded as to have a thoroughly safe and satisfactory effect upon the Kidneys, Stomach and Bowels," "In all cases arising from impure blood it gives speedy and permanent relief, curing and eradicating Scrofula, Salt Rheum, Eczema, Boils, Pimples, Erysipelas and all disease of a Syphilitic character," "It acts in sympathy with the digestive organs, relieves them of their weakness, stimulates them to more vigorous action, and restores them to a healthy condition. It will cure Indigestion, Loss of Appetite, Sour Stomach, Sick Headache, Sleeplessness, Spring Sickness, Yellow Jaundice, Constipation and all diseases which are caused by or have their origin in the failure of the Liver, Kidneys, Stomach or Bowels to perform their proper functions," "We at all times recommend Dr. Thacher's Liver and Blood Syrup in the treatment of female diseases and weaknesses. It tones up the system, removes obstructions which are caused by inactive Liver or Kidneys, frees the blood from all impurities * * *," " * * * it should be very plain to every one that it is necessary to keep the Liver in a healthy, normal condition if we would avoid these troubles which are caused by its disorders. To do this successfully, no better remedy will be found than Dr. Thacher's Liver and Blood Syrup, Liquid or Dry. It stimulates the Liver to its natural activity, insures the proper secretion and use of bile, strengthens the muscular action of the bowels * * *," "The Kidneys, Their Duties, Diseases, and how to cure them. * * * Dr. Thacher's Liver and Blood Syrup (Liquid or Dry) cures Kidney disease, because it possesses the power of expelling from the system the uric acid and urea. It relieves the Kidneys when congested of the excess of blood, frees them from irritants, acts as a food, stimulant and tonic, and restores them to healthy action by its mild and soothing power. It prevents granular or fatty degeneration of the Kidneys which has deprived society of so many useful lives," "This is to certify that I was troubled with hemorrhages of the Kidneys, and after using three bottles of your Liver and Blood Syrup, I can truthfully say I am entirely well * * *," "Dr. Thacher's Liver and Blood Syrup (Liquid or Dry) makes pure, rich blood by keeping the Liver, Kidneys, Stomach and Bowels in a good, healthy condition. It contains ingredients which are specific in the treatment of Scrofula, Syphilis and Erysipelas. It acts as a general tonic, replaces flabby muscles with good, firm flesh, gives color to the cheek, a luster to the eye, and fortifies against disease," "In Kidney and Liver Disease * * * Take a little after each meal, if only half a teaspoonful, so as to keep up the Liver's action and affect a cure. If the disease is of long standing, continue its use regularly; for, as it has taken some time to contract the disease, it may take a proportionate time to cure it. * * * Ladies will find sure relief from their Headache, Costiveness, Dizziness, Colic, Sour Stomach, Restlessness, etc., by taking enough Liver and Blood

Syrup after dinner or supper to produce one action daily. The mother will have better health, and the child will be healthier and grow more rapidly if the Liver and Blood Syrup is used whenever needed during pregnancy," "For Fever and Ague," "As a Blood Purifier no medicine can be more effective. The impurities will be removed and the entire system cleansed," "As a Preventive of Bilious and even Yellow Fever it is known to be effectual," "If you are Sea-Sick, or if food or water does not agree with you, one good dose will remove all ill effects," "My son, sixteen years old, was troubled with Dropsy and * * * I got a bottle of your Liver and Blood Syrup * * * After using two bottles he was restored to his normal weight and to perfect health." (On small circular) "An excellent medicine and thoroughly reliable cure for the diseases that it claims. For all cases of Liver Complaint, Kidney Complaint, acting in sympathy with both organs, relieving them of their weakness and putting them in tone and a healthy state. For all cases of Headache, Drowsiness, Spring Sickness, Yellow Jaundice, Dumb Chills, and any troubles caused from living in a malarial district * * * It is of great service to those who are troubled with blotches on the skin and sallowness, dimness of sight, specks before the eyes, etc. Dyspepsia and all kindred complaints. For a feeling of fullness around the waist or bad taste in the mouth, it is a perfect success. It is made of the purest ingredients and contains no Aloes; it is therefore the very best medicine for Piles," "It is the Best Blood Purifier * * *," "This medicine is successful in the treatment of all cases of Scrofula, Salt Rheum, Tetters, diseases of a syphilitic character and in every case where the blood or general system is in bad order. A few doses of Liver and Blood Syrup would relieve much of the suffering which some women endure every month. It is especially good in cases of delayed menstruation where the system is relaxed or run down, or where there is some derangement of the female organs. Particularly adapted to the change of life. It removes Depressions, Bearing Down Pains, Faintness, Nervous Prostration, Backache, Headache, Bloating and all uncomfortable feelings," and because the name of the preparation, "Liver and Blood Syrup," upon and within said packages, indicated that the product was useful generally in the treatment of liver and blood diseases, when, as a matter of fact, it was not, and said name was therefore misleading, false, and fraudulent.

On June 2, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*