

4389. Misbranding of "Stella-Vitae 'Star of Life.'" U. S. * * * v. Thacher Medicine Co., a corporation. Plea of guilty. Fine, \$75 and costs. (F. & D. No. 6125. I. S. No. 9458-e.)

On March 11, 1915, the United States attorney for the Eastern District of Tennessee, 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 Thacher Medicine Co., a corporation, Chattanooga, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about November 5, 1912, from the State of Tennessee into the State of Georgia, of a quantity of "Stella-Vitae 'Star of Life,'" which was misbranded. The article was labeled: (On carton) "This Style Package Adopted October, 1907. Stella-Vitae 'Star of Life' Woman's Relief Mother's Cordial 20 Per Cent Alcohol Guaranteed by Thacher Medicine Co. under the Food and Drugs Act, June 30, 1906. Serial No. 905 A Powerful Tonic and Regulator for all Female Weaknesses and Diseases Eradicating the Causes of Female Diseases, and Correcting Painful, Profuse, Irregular or Suppressed Menstruation Pleasant to Take. Sure and Quick in its Operation. Price \$1.00. Six Bottles for \$5.00 Prepared for Thacher Medicine Co. Chattanooga, Tenn. Our Faith. So many cases have come to our notice in which Stella-Vitae has made complete cures, that we feel warranted in recommending it for all cases where there are no malformations or where a surgical operation is not the only recourse for relief. Directions, which accompany each bottle, must always be fully and carefully followed. Ladies! Should you be one of the many of your sex who are suffering silently but intensely from the distressing diseases and annoying weaknesses which make life a burden to so many, write us, giving all the symptoms (which will be treated in strict confidence), and we will send you, free of charge, our book on Female Diseases. We positively guarantee that Stella-Vitae contains no opiate or other powerful narcotic drug, and yet, such is the character of the ingredients that by their skillful and scientific combination they form a remedy that is recommended in all cases of Painful, Profuse, Irregular or Suppressed Menstruation, and for the distressing bearing down pains to which so many women are silent sufferers, this preparation is an immediate and welcome relief. For Delicate and Nervous Women we confidently recommend Stella Vitae. While we do not claim for it a cure-all, the peculiar properties of its combination render it especially valuable in all cases of ills peculiar to Women. Read carefully pamphlet 'Our Wives and Daughters,' and follow the directions and suggestions accompanying each bottle. In order that the purchaser may be sure of receiving the right preparation, and to guard against fraud, see that each package bears the facsimile signature of Thacher Medicine Co." (Label in German on back of carton). (On bottle) "Stella-Vitae (Star of Life) 20% Alcohol Prepared for Thacher Med. Co. Chattanooga, Tenn. Woman's Relief Mother's Cordial A Tonic and Regulator for Women. Guaranteed by Thacher Medicine Co., under Food and Drugs Act, June 30, '06. No. 905. Directions—Taken as a tonic, a teaspoonful three times a day. For Difficult, Painful, or irregular Monthly Periods, begin a few days before the expected sickness, and take a tablespoonful four times a day during the period, then three times a day. For Profuse or too frequent flow of Menses, begin with Menstruation and take a tablespoonful every two or three hours until checked, and then take three times a day. When flow fails or is not sufficient, take tablespoonful four times a day until flow is regular. For After Pains take a tablespoonful four times a day until relieved. For Pains and Cramps of Pregnancy, take tablespoonful every six hours until relieved. For all Hemorrhage from Womb, especially at Change of Life a tablespoonful, taken three or four times a day will relieve. Special Directions in each package.

Read and follow carefully." (Blown in bottle) "Stella-Vitae (Star of Life) Thacher Med. Co., Chattanooga, Tenn." The circular and booklet accompanying the article contained, among other things, the following: (On circular) "Leucorrhœa (or Whites) is entirely cured, and the patient restored to perfect health by the use of Stella-Vitae." (On booklet) "Women's Peculiar Ills require a medicine for their exclusive treatment. Stella-Vitae has been curing sick women for more than 30 years—it will cure you. We know this, and that is why we guarantee the first bottle—for, if benefitted, you will continue treatment and be cured. It corrects all irregularities peculiar to women—tones, strengthens and vitalizes the womanly functions, restores the appetite, clears the complexion and builds up the wasted energies. It makes the blood rich and red, assists digestion, drives away the blues and saves you from nervous prostration."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Solids (grams per 100 cc)-----	15.40
Ash (gram per 100 cc)-----	0.41
Reducing sugars (grams per 100 cc)-----	6.59
Alcohol (per cent by volume)-----	16.25
Alkaloids: Negative.	
Flavored with cloves.	

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On carton) "A Powerful Tonic and Regulator for all Female Weaknesses and Diseases." (On bottle) "For all Hemorrhage from Womb * * *," and included in the circular and booklet aforesaid, to wit, (On circular) "Leucorrhœa (or Whites) is entirely cured, and the patient restored to perfect health by the use of Stella-Vitae." (On booklet) "* * * It corrects all irregularities peculiar to women * * *," were false and fraudulent in that the same were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for all female weaknesses and diseases, in the relief of all hemorrhage from the womb, as a cure for leucorrhœa, and for correcting all irregularities peculiar to women, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

On November 29, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$75 and costs.

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