

**4709. Misbranding of "Unguento Universal Carson." U. S. * * * v. 7
Dozen Boxes of "Unguento Universal Carson." Default decree of
condemnation, forfeiture, and destruction. (F. & D. No. 7156. I. S.
No. 3333-1. S. No. E-519.)**

On January 18, 1916, the United States attorney for the District of Porto Rico, 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 7 dozen boxes of "Unguento Universal Carson," remaining unsold in the original unbroken packages at San Juan, P. R., alleging that the article had been shipped, on or about April 15, 1915, by Kane & Behrens, New York, N. Y., and transported from the State of New York into the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended. Each box was incased in a wrapper within which, and wrapped around the box was a circular stating that in the case of "bites of rabid dogs * * * this ointment will effect a complete cure without danger of hydrophobia * * * Stings of poisonous animals will be cured * * * Carbuncles and boils * * * this ointment will effect a rapid cure * * * leaving no scar whatever. * * * Rheumatism * * * this ointment is a powerful remedy, * * * extracting the cause of the disease through the pores. * * * Tumors of all kinds and in any part of the body. It will open them * * * and the healing will be so perfect that no scar will be visible."

It was alleged in the libel that an analysis of the article showed it to contain no ingredient or combination of ingredients capable of producing the aforesaid therapeutic effects claimed for it in the circular accompanying it. It was further alleged that the statements contained in the circular and on the label, as set out above, were false, fraudulent, and misleading, the chemical analysis showing that it did not contain any ingredient or combination of ingredients capable of producing the claims and results set out upon the circulars. It was further alleged that the article was mislabeled and misbranded so as to deceive and mislead the purchaser or purchasers thereof, in that both the label and wrapper contained statements regarding the article and the ingredients and substances contained therein, which were fraudulent and misleading; that is to say, the label and the circular were calculated to lead the public to believe that the article was a useful and good medicine, and would cure the various ills, diseases, and complaints as set out in said circular and label, whereas, in fact, it was not of a medicinal nature such as would produce any such results, and was utterly worthless for that purpose.

On March 17, 1916, 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.

CARL VROOMAN, *Acting Secretary of Agriculture.*