

8971. Misbranding of Dr. A. W. Chase's Nerve Pills. U. S. * * * v. 74 Packages and 122 Packages and 97 Packages and 234 Packages of Dr. A. W. Chase's Nerve Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13504, 13357, 13358, 13359. I. S. Nos. 11532-t, 1202-t, 2482-t, 4265-t. S. Nos. C-2350, C-2162, C-2258, C-2259.)

On August 17 and 23, 1920, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 74 packages, 122 packages, 97 packages, and 234 packages of Dr. A. W. Chase's Nerve Pills, remaining unsold in the original unbroken packages at Evansville, Indianapolis, and Terre Haute, Ind., alleging that the article had been shipped on or about March 5, June 11, and June 17, 1920, November 12, 1919, and June 16, 1920, by the Dr. A. W. Chase Medicine Co., Buffalo, N. Y., and transported from the State of New York into the State of Indiana, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: "Builds up the System Cures * * * Nervous Prostration * * * Nervous Headache Female Trouble * * * Heart Failure Dizziness & Fainting Sleeplessness and General Weakness;" (circular) "Hysteria, Hystero-epilepsy, Epilepsy St. Vitus dance, Paralysis, Locomotor-Ataxia, Insanity * * * await * * * the chance to enter. The cure is alone found in Dr. A. W. Chase's Nerve Pills. A medicine rich in all the elements that go to make rich red blood and to supply the hungry nerves with proper nourishment, a medicine that supplies what is lacking, the very essence of existence, the active principle of life—Nerve Force * * * Sexual Wrecks * * * in Dr. A. W. Chase's Nerve Pills, the victim of excess finds a medicine that reaches the seat of trouble and cures * * * re-invigorates, by re-supplying the very essential of health, Nerve force. Once this health-giving force reaches the relaxed and debilitated organ in proper quantity, the organ begins to rebuild itself and takes its place as capable as ever of carrying out its work * * * Occasional Irregularity, or * * * slight and fearfully painful menstruation * * * the absence of a healthy flow * * * a complete relaxation and loss of power upon the part of the uterine organs * * * It is in such cases as these * * * that * * * Nerve Pills show their sterling qualities * * * by re-supplying the element lacking, Nerve Force * * * Sterility * * * The * * * use of * * * Nerve Pills always results in an awakening and return of power to those organs * * * Girlhood to Womanhood * * * Nerve Pills * * * by their ability to supply a world of nerve force and physical energy, and to manufacture the richest quality of blood, makes the passage * * * easy and safe * * * Feeble Little Ones * * * due to Diphtheria, Measles, Scarlet Fever, etc. * * * Nothing could reach * * * in a more rapid or happy manner than do * * * Nerve Pills, a preparation designed expressly to furnish to these weak and puny little ones all that is essential to their re-building and re-invigorating * * * A True Tonic * * * results once obtained are doubly certain and lasting * * * This is the only medicine that cures by re-building, re-invigorating and re-supplying what is lacking—good blood and nerve force."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes, ferrous carbonate, a manganese salt, strychnine, and arsenic.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements, regarding the curative and therapeutic effects of said article, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the results claimed.

On October 8, 1920, no claimant having appeared for the property, default decrees of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*