

9582. Misbranding of Madame Dean female pills. U. S. * * * v. 10 Packages of Madame Dean Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13403. I. S. No. 3044-t. S. No. C-2206.)

On August 18, 1920, 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 a libel for the seizure and condemnation of 10 packages of Madame Dean female pills, remaining in the original unbroken packages at Knoxville, Tenn., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., August 13, 1919, and transported from the State of Pennsylvania into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box label and wrapper) "Female Pills * * * give relief in Female Disorders of the menstrual functions. * * * for Painful, Irregular, Scanty Menstruation;" (booklet) "* * * irregular, prolonged, or suppressed menstruation. * * * Female Pills afford relief for these ailments. * * * a remedy intended solely for the relief of Amenorrhoea, Dysmenorrhoea, scanty and irregular menstruation, and other derangements of the reproductive system, * * * especially valuable in the functional changes * * * of the menopause or change of life. * * * act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation, and assist in reestablishing or restoring, the menstrual or monthly periods. * * * strengthen and build up the uterine functions;" (circular) "* * * great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel, * * * for irregular, painful, scanty or suppressed menstruations, * * * should be taken * * * to assist nature with * * * disorders * * * during the change of life period. * * * Continue with the treatment until they give relief. * * * great relief from Pains or Headache; * * * for suppressed Menstruation, * * * continue their use until relieved * * * take * * * until the menstrual flow commences again. * * * Special Strength * * * should relieve the most obstinate cases."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of quinine, aloes, ferrous sulphate, hydrastis, ginger, and cornstarch.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effect thereof were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effect claimed, and would not, in fact, cure or relieve the complaints and ailments of women as above set forth.

On January 18, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9583. Misbranding of Nerv-Mintz. U. S. * * * v. 20 Packages of * * * Nerv-Mintz. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13424. I. S. No. 3045-t. S. No. C-2197.)

On August 20, 1920, 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 a libel for the seizure and condemnation of 20 packages of Nerv-Mintz, remaining in the original unbroken

packages at Knoxville, Tenn., alleging that the article had been shipped by the Earle Chemical Co., Wheeling, W. Va., July 7, 1919, and transported from the State of West Virginia into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box label) "Nerv-Mintz Nerve and Energy Tablets Especially A Nerve Strengthener * * * Soothe And Quiet The Nerves * * * Used For The Relief Of Nervousness, Loss Of Vigor, Energy and Ambition.—Lack of Confidence, Sleeplessness, Trembling, Nervelessness, Shifty Gait, Shattered Nerves, Exhausted Or Weakened Vitality, Mental Depression, Numbness, Weakening Habits, * * * And All Overworked And Unstrung Nerves Induced By Fast Living and Other Excesses * * * Useful in The Treatment Of Nervous Conditions Which Follow Too Strenuous Living, Mental And Physical Fatigue, And Other Excesses;" (circular) "Nerv-Mintz For Nervous Debility * * * Exceptionally Efficient In The Treatment Of Nervousness, Loss of Vigor, Energy and Ambition, Lack Of Confidence, Sleeplessness, Shifty Gait, Shattered Nerves, Weakened Or Exhausted Vitality, Mental Or Physical Depression, Weakening Habits, * * * And For All Overworked And Unstrung Nerves Induced By Fast Living And Other Excesses. * * * To all those who * * * suffer from the effects of fast living, over-work and the drains of present day strenuous excesses, Nerv-Mintz prove most wonderful rejuvenators, restoring the lost vitality you perhaps had thought was gone forever. Generally results are quick. * * * Keep up the treatment * * *"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of sabal, nux vomica, aloin, capsicum, and zinc phosphid.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effects thereof were false, fraudulent, and misleading in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed, and would not cure or relieve the complaints and ailments as above set forth.

On January 18, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9584. Misbranding of Wade's Golden Nervine. U. S. * * * v. 12 Packages * * * of Wade's Golden Nervine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13427. I. S. No. 12390-t. S. No. C-2288.)

On September 2, 1920, the United States attorney for the Southern District of Ohio, 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 12 packages of Wade's Golden Nervine, remaining unsold in the original packages at Columbus, Ohio, consigned by the McCullough Drug Co., Lawrenceburg, Ind., on or about June 14, 1920, alleging that the article had been shipped from Lawrenceburg, Ind., and transported from the State of Indiana into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Circular) "Nervous Debility In Men And Women. * * * Insomnia * * * Nervous Headaches, Nervous Indigestion, Weak Heart, Etc. * * * Sexual Weakness in Men. * * * Alcoholic Excesses;" (bottle and carton labels) "For Lost Vigor, Nervous Debility, Insomnia, Weak Heart, Etc. * * * Restorative in all Nervous Conditions resulting from Excesses,