

United States Department of Agriculture

FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

15051-15075

[Approved by the Secretary of Agriculture, Washington, D. C., November 18, 1927]

15051. Misbranding of Zendejas Medicine. U. S. v. 125 Bottles of Zendejas Medicine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21638. I. S. No. 15602-x. S. No. C-5320.)

On February 17, 1927, 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 a libel praying seizure and condemnation of 125 bottles of Zendejas Medicine, remaining in the original unbroken packages at Indiana Harbor, Ind., alleging that the article had been shipped by P. Zendejas, Los Angeles, Calif., January 13, 1927, and transported from the State of California into the State of Indiana, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Blood Purifier * * * For All Blood Disorders Impaired Circulation Rheumatism—Skin Troubles," (similar statements in foreign languages); (bottle label) "Blood Purifier For All Blood Disorders Impaired Circulation Rheumatism—Skin Troubles;" (circular) "Treatment If the disease does not yield to the treatment the dose may be gradually increased up to the maximum of tolerance of your organism * * * Persons desiring only to tonify their system, should take smaller doses than indicated here;" (Spanish translated) "In the Beginning of the Treatment Some Persons May find that Their Symptoms Apparently Increase. This is the Result of the Medicine in Removing the Disease and Therefore One Should Not be Alarmed."

Analysis by this department showed that the article consisted essentially of potassium iodide, a laxative plant drug extract, sarsaparilla, a trace of resin, and water, preserved with formaldehyde.

It was alleged in the libel that the article was misbranded, in that the statements above quoted regarding the curative and therapeutic effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed in the said statements.

On April 12, 1927, 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.

W. M. JARDINE, *Secretary of Agriculture.*

15052. Misbranding of Chi-Ches-Ters Diamond Brand pills. U. S. v. 12½ Dozen Small Size Packages of Chi-Ches-Ters Diamond Brand, New Style Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13270. I. S. No. 6304-t. S. No. E-2508.)

On August 18, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 12½ dozen packages of Chi-Ches-Ters Diamond Brand pills, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Williams Manufacturing Co., from Cleveland, Ohio, on or about June 17, 1920, and transported from the State of Ohio into the

State of New York, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Chi-Ches-Ters Diamond Brand, New Style Pills;" (booklet) "Relief for Ladies * * * a * * * Remedy for Functional Derangements of the Female Organism * * * For Amenorrhoea * * * Dysmenorrhoea."

Analysis by this department showed that the pills contained iron sulphate and vegetable drugs, including aloe.

It was alleged in the libel that the article was misbranded, in that the above-quoted statements appearing in the said booklets regarding the curative and therapeutic effects of the said article were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 11, 1927, 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.

W. M. JARDINE, *Secretary of Agriculture.*

15053. Misbranding of Chi-Ches-Ters Diamond Brand pills. U. S. v. 23 Dozen, et al., Packages of Chi-Ches-Ters, Diamond Brand Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13267, 13268, 13269, 15601, 15626. I. S. Nos. 6327-t, 6328-t, 7453-t, 7457-t. S. Nos. E-2493, E-2494, E-2507, E-3641, E-3653.)

On August 18, 1920, and November 10 and 23, 1921, respectively, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 72½ dozen packages of Chi-Ches-Ters Diamond Brand pills, remaining in the original unbroken packages at New York, N. Y., consigned by the Chichester Chemical Co., from Philadelphia, Pa., alleging that the article had been shipped from Philadelphia, Pa., in various consignments, between the approximate dates of May 12, 1920, and October 31, 1921, and had been transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the food and drugs act as amended. A portion of the article was labeled in part: (booklet) "Relief For Ladies * * * a * * * Remedy for Functional Derangements of the Female * * * Organism * * * For Amenorrhoea * * * Dysmenorrhoea." The remaining 18 packages of the article were contained in cartons bearing the statements: "Chi-Ches-Ters Diamond Brand pills * * * A Standard and Reliable Remedy for the Relief of Amenorrhoea, Dysmenorrhoea, Menorrhagia, Leucorrhoea, Scanty and Irregular Menstruation, and other derangements of the reproductive system arising from Colds, Ill Health, Nervous Strain, Exposure to Inclement Weather and similar causes, and is especially valuable in the functional changes incidental to the distressing period of the menopause or change of life." Six dozen packages of the article were accompanied by a circular or booklet containing the statements: "Relief at last to all suffering women * * * I save many hours of pain! * * * Are you sick? Suffering? Depressed? If so, and it is due to functional derangements of the female reproductive organism you will find relief by taking the original and reliable Chi-Ches-Ters Diamond Brand Pills. * * * Chi-Ches-Ters Diamond Brand Pills are intended for speedily and effectually relieving amenorrhoea, dysmenorrhoea, painful, scanty and delayed menstruation. * * * Their use will not interfere with the daily routine of life nor injure the most delicate constitution but on the contrary they strengthen and build up the health and invigorate the system. * * * Chi-Ches-Ters Pills the 'Diamond Brand' have become a household word and have saved untold numbers of women from pain and suffering and are confidently recommended as time tried, reliable and effective * * * a friend in need is a friend indeed."

Analysis by this department showed that the pills contained iron sulphate and vegetable drugs, including aloe.

It was alleged in substance in the libels that the article was misbranded, in that the statements above quoted borne on the labels, regarding the curative and therapeutic effects of the said article, were false and fraudulent, since it did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On April 11, 1927, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*