

# United States Department of Agriculture

## FOOD AND DRUG ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

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

17201-17225

[Approved by the Secretary of Agriculture, Washington, D. C., January 7, 1931]

**17201. Misbranding of Dr. Kaufmann's sulphur bitters. U. S. v. 22 Bottles, et al., of Dr. Kaufmann's Sulphur Bitters. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 24504, 24505, 24506. I. S. Nos. 026939, 026940, 026941, 033654. S. Nos. 2780, 2781, 2790.)**

On February 6 and February 8, 1930, respectively, the United States attorneys for the Eastern District of Missouri and the Eastern District of Louisiana, acting upon reports by the Secretary of Agriculture, filed in the District Courts of the United States for said districts libels praying seizure and condemnation of 220 bottles of Doctor Kaufmann's sulphur bitters, alleging that the article had been shipped by A. P. Ordway & Co., New York, N. Y., in various consignments, on or about September 4, September 14, September 25, and October 23, 1929, respectively, and transported from the State of New York into the States of Missouri and Louisiana, respectively, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of extracts of plant drugs including aloe and podophyllum, a small amount of sulphur, alcohol, and water.

It was alleged in the libels that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article appearing on the label of the bottle and in the accompanying booklet, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Booklet) "Sickness and Its Cause. What is the greatest cause of sickness? \* \* \* Poor, thin, vile, vitiated blood. \* \* \* At times we see people who are dizzy and have fainting fits. These, when not attended to, will result in a diseased brain. Now, dear readers, remember what I have told you: Eradicate from your blood all humors; keep it always in a pure condition, and it is then impossible for you to remain long unwell. Dr. Kaufmann's Sulphur Bitters will aid you to do this and keep your blood in good condition. \* \* \* General Wasting Away. How often we see many people thus afflicted. \* \* \* The general symptoms of this disease are impaired digestion, loss of appetite; there is a gradual wasting away of the whole body, loss of strength, a languid feeling, hectic fever, difficult breathing, and sometimes a most severe cough. In children, worms will cause a general wasting away. In the last twenty years I have noticed this disease in the young of both sexes, where it has been caused by syphilis or other venereal taint, which has descended to them from their parents. Is not this a most terrible thing for parents to thus infect their own children? And where children are of a scrofulous habit, I have noticed an enlargement of the glands, with a costive state of the bowels, indigestion, appetite good one day and poor the next, pallid or flushed cheeks, emaciated limbs, swelling of the abdomen, and in a great many cases horrible eruptions would break out on the arms and thighs, and in fact all over the body. \* \* \* In these cases \* \* \* Dr. Kaufmann's Sulphur Bitters should be freely used; \* \* \* Heartburn. This is a disease of the stomach. \* \* \* Use Dr. Kaufmann's Sulphur Bitters. Re-

tention of the Menses (Chlorosis or Green Sickness)—The nonappearance of the monthly evacuation of the natural period is called retention of the menses, and is followed sooner or later by serious ill health. \* \* \* In this disease you should give Dr. Kaufmann's Sulphur Bitters, \* \* \* Painful Menstruation, or Dysmenorrhoea \* \* \* The discharge is scanty at first, and accompanied with grinding or bearing-down pains, which are sometimes as severe as, if not severer than those of labor. \* \* \* Profuse Menstruation, or Menorrhagia—In an unhealthy state of the system the quantity of menstrual fluid discharged may be increased to such an extent as to cause extreme debility. \* \* \* Leucorrhoea, or Whites (Fluor Albus)—Fluor Albus, or Whites, consists of a discharge from the vagina of a milky-white color. \* \* \* Dr. Kaufmann's Sulphur Bitters should always be taken. \* \* \* The Turn of Life. The final cessation of the menses is called the Turn of Life, or the critical period of life, \* \* \* Thousands of ladies have sent me letters telling me what good Dr. Kaufmann's Sulphur Bitters have done them during this period. Scabies or Itch \* \* \* Carbuncles \* \* \* Dr. Kaufmann's Sulphur Bitters will aid \* \* \* Chronic Diseases \* \* \* Boils, Furunculus \* \* \* Take a teaspoonful of Dr. Kaufmann's Sulphur Bitters night and morning. \* \* \* Pemphigus and Rupia \* \* \* Dr. Kaufmann's Sulphur Bitters will help you. \* \* \* Nursing Sore Mouth, Stomatitis Materna \* \* \* Dr. Kaufmann's Sulphur Bitters, Goitre—Bronchocele, or Thick Neck \* \* \* Dr. Kaufmann's Sulphur Bitters \* \* \* Impetigo, Crusted Tetter or Scale \* \* \* Dr. Kaufmann's Sulphur Bitters \* \* \* Pimples \* \* \* Take a teaspoonful of Dr. Kaufmann's Sulphur Bitters three times a day \* \* \* Foul and Offensive Breath \* \* \* Likewise take Sulphur Bitters night and morning \* \* \* Hidden Diseases \* \* \* Dr. Kaufmann's Sulphur Bitters \* \* \* Nervous Diseases \* \* \* Catarrh \* \* \* A teaspoonful of \* \* \* should be taken three times a day \* \* \* Dyspepsia, or Indigestion \* \* \* Jaundice \* \* \* Sulphur Bitters acts like magic in jaundice \* \* \* Piles \* \* \* Dr. Kaufmann's Sulphur Bitters should then be used regularly, \* \* \* To Mill Operatives, Mechanics, Clerks and all Employed Indoors \* \* \* Ecthyma or Pushes \* \* \* Take a teaspoonful of Dr. Kaufmann's Sulphur Bitters night and morning \* \* \* Sick and Nervous Headache \* \* \* Nightmare \* \* \* Sleep \* \* \* Salt Rheum \* \* \* Keep right on using Dr. Kaufmann's Sulphur Bitters. \* \* \* Canker in the Mouth and Stomach, or Thrush \* \* \* The Blues \* \* \* Mothers \* \* \* Tinea Favus, or Scald-Head \* \* \* Syphilis \* \* \* Liver Complaint, or Biliousness \* \* \* Malaria, Fever and Ague, Intermittent Fever, or Shakes \* \* \* Chronic Ulcers or Old Sores \* \* \* St. Vitus' Dance \* \* \* Rheumatism \* \* \* Chronic Rheumatism \* \* \* Hysteria, or Hysterics \* \* \* That Tired and All-Gone Feeling;" (bottle label of portion of product) "In obstinate cases of biliousness and costiveness."

On March 10, and March 24, 1930, respectively, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17202. Misbranding of Nozol. U. S. v. 36 Dozen Packages of Nozol. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24307. I. S. No. 011566. S. No. 2553.)**

On January 22, 1930, the United States attorney for the District of Massachusetts, 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 36 dozen packages of Nozol, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Nozol Co., from Pittsburgh, Pa., on or about November 1, 1929, and transported from the State of Pennsylvania into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of mineral oil, camphor, and oil of peppermint colored with a pink dye.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the bottle label and accompanying display card, regarding the curative and therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of