

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as described by the test laid down in the said pharmacopoeia.

On February 2, 1931, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18084. Misbranding of Smith's blood, liver, and kidney remedy. U. S. v. 7 Bottles of Smith's Blood, Liver, and Kidney Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24490. I. S. No. 09589. S. No. 2776.)

Examination of a sample of the herein-described drug product having shown that the bottle label bore statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported to the United States attorney for the Western District of Oklahoma the following shipment of a quantity of the product located in Elk City, Okla.

On February 13, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of seven bottles of Smith's blood, liver, and kidney remedy at Elk City, Okla., consigned by the Health Aid Laboratories, Dallas, Tex., alleging that the article had been shipped in interstate commerce on or about November 25, 1929, from Dallas, Tex., into the State of Oklahoma, 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 potassium acetate, extracts of plant drugs, small proportions of magnesium sulphate, potassium iodide, and salicylic acid, alcohol, and water.

It was alleged in the libel that the article was misbranded in violation of the said act as amended, section 8, paragraph 3, in the case of drugs. The charge recommended by this department was that the article was misbranded in that the following statements appearing on the bottle label, regarding the curative and therapeutic effects of the article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "Blood, Liver and Kidney Remedy * * * This is the most wonderful medicine known for the treatment of all diseases arising from a disordered condition of the Blood, Liver and Kidneys, such as Rheumatism, Neuralgia, Catarrh, Piles, Diarrhea, Venereal Diseases, Chills, Fevers, Stomach and Bowel complaints, Dyspepsia, Indigestion, Constipation, Cleanses the Stomach, regulates the Bowels. For Malaria and Bilious attacks, Backache, Lumbago, Swimming in the Head, * * * Swollen Feet and Ankles, Gas, and Sour Stomach, Gouty Conditions, and Dropsy Symptoms, High Blood Pressure, Influenza, Eczema, and is a perfect tonic. It is good for female Complaints. * * * Smith's Famous Blood, Liver and Kidney Remedy overcomes intestinal sluggishness by causing a normal activity of the liver, increasing the flow of bile, equalizing the portal circulation, thus rendering its effects of a permanent nature, thereby helping to build up the general health. * * * Health Aid. * * * This Famous Medicine Is Guaranteed to give perfect satisfaction for diseases arising from a disordered condition of the Blood, Liver, Kidneys and Stomach. Directions: First day, for an adult should be two tablespoonfuls after each meal to start the bile from the liver to remove it from the stomach * * * In treating Chills, Fevers, Malaria, etc., adults should take two or three tablespoonfuls every two hours until chills and fever stops. In bilious attacks take two or three tablespoonfuls every two or three hours, * * * until the system is thoroughly cleansed. For children * * * in cases of chills, fevers, constipation, etc. * * * We the Health Aid Laboratories, Inc., guarantee Smith's Famous Blood, Liver and Kidney Remedy to give perfect satisfaction in treating cases arising from a disordered condition of the Blood, Liver, Kidneys and Stomach * * * Health Aid."

On December 20, 1930, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*