

**18087. Misbranding of Dr. Bennett's New Life. U. S. v. 30 Bottles of Dr. Bennett's New Life. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25520. I. S. No. 9325. S. No. 3790.)**

Examination of a sample of a drug product, known as Dr. Bennett's New Life, from the shipment herein described having shown that it was represented to be a vegetable compound, whereas it contained magnesium sulphate (Epsom salts), a mineral drug, and that the carton and bottle labels bore statements representing that the article possessed curative and therapeutic properties which it did not, the Secretary of Agriculture reported the matter to the United States attorney for the District of Maryland.

On or about December 19, 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 30 bottles of Dr. Bennett's New Life, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Bennett Medicine Co., from Norfolk, Va., on or about May 31, 1920 (1930), and had been transported from the State of Virginia into the State of Maryland, 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 magnesium sulphate, iron chloride, small proportions of extracts of plant drugs including podophyllum, rhubarb, and leptandra, traces of salicylic acid and methyl salicylate, and water (approximately 91 per cent).

It was alleged in the libel that the article was misbranded in that the following statements appearing on the labeling of the product were false and misleading, in view of the presence of magnesium sulphate as an ingredient of the preparation: (Carton) "Select Vegetable Remedies used in this Formula. \* \* \* Made from Selected Vegetable Remedies. Iron Compound Added. The proper combination of Roots, Barks, Leaves and whole drugs of the following vegetable remedies have been used in this medicine. They are Cascara Sagrada, Iris Versicolor, Stillingia, Gentian Leptandrin, Rheubarb, Podophyllin and Spanish Licorice. \* \* \* Being purely vegetable;" (bottle) "Iron and Plant Compound." Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article, appearing on the labeling, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "This Medicine is Useful in the Treatment of Diseases of the Stomach, Liver and Kidneys. A Good Remedy to Expel Stomach or Intestinal Worms. \* \* \* Some of the Remedies Used in Making Dr. Bennett's New Life—with Iron, and Their Use. Gentian. Uses:—A remedy in atony of the Stomach and Bowels with feeble or slow digestion, malarial poisoning. Leptandra. Uses:—Improves the function of the gastro-intestinal mucous tract. Liver torpor and remittent and intermittent fever. Stillingia. Uses:—As a remedy in chronic sore throat, alterative and antisyphilitic; stimulates organs of secretion and excretion. Iris Versicolor. Uses:—Stimulates the Liver \* \* \* improves nutrition. Alterative in so called blood diseases. Podophyllin. Uses: \* \* \* stimulant to the digestive tract; in \* \* \* rheumatism, scrofula, billious fever. Rhubarb. Uses:—To relieve irritation of the stomach and intestinal canal, catarrhal conditions due to mucous atony. \* \* \* used in treating Catarrh, Indigestion or Dyspepsia, Billiousness, \* \* \* Rheumatism, Kidney and Bladder Troubles, Scrofula and so-called Blood Diseases, Chills, Fever, Ague, Nervousness, Male and Female Weakness and Female Complaints. This medicine has given very satisfactory results for children who are restless and nervous. In many of these cases Worms, Impurities and Disease Germs are the true cause of the trouble. In many cases two doses has been sufficient to expel these parasites. \* \* \* it may be taken \* \* \* with good results in many disorders;" (bottle) "A Valuable Medicine in the Treatment of Blood Diseases, Stomach and Liver Difficulties Such as Dyspepsia, Billiousness, Nervousness, Catarrh, Liver Complaints, Rheumatism, Enlargement of the Liver and Diseases of the Kidneys."

On February 21, 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.*