

On October 7, 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.*

18932. Misbranding of Davies' Geng-Seng. U. S. v. 2 Dozen Packages of Davies' Geng-Seng. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26333. I. S. No. 11109. S. No. 4618.)

Examination of a drug product, known as Davies' Geng-Seng, having shown that the article contained other active drugs than ginseng root, also that the circular accompanying the article contained statements representing that it possessed curative and therapeutic properties which, in fact, it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Oregon.

On May 6, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of two dozen packages of the said Davies' Geng-Seng, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Davies' Geng-Seng Co., from Los Angeles, Calif., on or about March 3, 1931, and had been transported from the State of California into the State of Oregon, 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 powdered ginseng root, aloe, magnesium sulphate, sodium bicarbonate, and sugar.

It was alleged in the libel that the article was misbranded in that the name "Geng-Seng" was false and misleading, since the said article contained other active drugs. Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article, appearing in the labeling, were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Circular) "Is America's Triple Curse Now at Last Conquered? * * * Number One—Indigestion * * * Number Two—Ulcerated and bleeding gums, also loose teeth. Number Three—Acid Poison. From Number One comes, sooner or later, a break down of the kidneys, and many persons, who die suddenly, have Number One, causing heart strokes, paralysis, etc. Dangerous blood pressure often caused by a sour acid, fermented stomach and bowels. Number Two fills the system with poison from diseased gums and throat; then catarrh, and often weak lungs. Number Three may cause rheumatism. When the body is poisoned, the nerves break down and healthy life becomes difficult. Are you aware that many people have Catarrh, many die of Consumption, numerous men have weakened vitality, half of the women have female troubles, and we are a nation of dyspeptics? Do not feel hurt at these remarks, but would you have us flatter you or tell the truth? You lead the world in advancement, commerce, trade and inventions. But—you have neglected the human body—human life. Where you have cured one case of cancer, a thousand have lost their lives, one case of asthma, a thousand have suffered, and one case of catarrh, a thousand are in their graves. You cure with difficulty catarrh, consumption, asthma, heart disease, piles, rheumatism, deafness, fits, neuralgia, dyspepsia, skin diseases, kidney trouble, female trouble, poison, rupture, paralysis; also many other diseases we have not space to mention. Suppose there is a cure for these diseases, would you give it a fair trial, or would you condemn it without investigating? This firm has brought to this country these splendid medicines, which honestly, and truthfully relieve people of diseases which up until now have been considered hopeless. Many persons given up have been and are being helped every day. Read this circular carefully, and if you have no use for it, give it to some afflicted friend or relative. Perhaps it may be the means of saving a 'human life.' Try our medicine and then pass judgment. Isn't your health worth it? Your health is your wealth. * * * What is finer than a clear complexion, sparkling eyes, joyful temper and a personality that exudes good health and cheerfulness? People don't like to see a sour-visaged, sickly looking man or woman. Sickness is the cause of most of our unhappiness and trouble. It breeds mental anxiety, gloomy forebodings, languor, melancholia, bad memory, physical and mental debility and a long train of ills. * * * Wise men of the Orient have called it Fragrant health. * * * Are you fit or have you joined that vast army of nervous

wrecks? * * * Indigestion, Kidney Trouble, Acid Poison, Ulcerated Gums, Nervous Debility, are a few of the troubles that will make the bravest man or woman in the world, nervous, frightened, anxious, down-hearted, and unhappy. Listen! Wouldn't you risk a dollar to gain something that's worth millions to you—your health, your future happiness, your life! Then try Davies' Geng-Seng. * * * This is our famous herb powder, which cleans out the system and builds it up. * * * perfect digestion, * * * normal kidney action, freedom from pain, aches and misery; a clean healthy nose and throat, a clean and healthy tongue, pure blood, sweet breath, bright eyes, a firm step, strong and rugged in the back. Don't be careless—think of poison acids to eat up the gums, caused by constipation, and a deadly poison, which settles in the liver, kidneys and the stomach, not to mention the nose and throat. Many people who have used Davies' Geng-Seng say it just sweeps the poisons and filth from the body like a broom. We have letters, hundreds of them, in black and white, in their own handwriting to prove it. Delays are dangerous, don't put it off. * * * Directions * * * There is no particular dose of * * * In case of illness or some sudden misery of any kind, you take the Davies' Geng-Seng at once, no matter what time of day or night. * * * Many persons ask, what Davies' Geng-Seng will do. Here is a brief synopsis: * * * relieves bleeding and ulcerated gums, prevents sour, acid and fermented stomach, promotes digestion, relieves poison acids from the system, assists the blood and the bladder, relieves rheumatism, counteracts bad breath, catarrh and torpid liver, has a splendid action on both sexes, thereby proving a blessing to that vast army of sufferers from kidney troubles and heart weakness. Davies' Geng-Seng relieves languid, weak men and women, tones up the nerves, reduces blood pressure, improves the circulation, and may prolong your life."

On October 7, 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.*

18933. Misbranding of Mason's cream of olives ointment. U. S. v. 11½ Dozen Boxes of Mason's Cream of Olives Ointment. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26920. I. S. No. 29261. S. No. 5101.)

Examination of a drug product, known as Mason's cream of olives ointment, from the shipments herein described having shown that the carton and box labels contained representations that the article possessed curative and therapeutic properties which, in fact, it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On September 1, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 11½ dozen boxes of the said Mason's cream of olives ointment at New York, N. Y., alleging that the article had been shipped by Aschenbach & Miller (Inc.), from Philadelphia, Pa., in part on or about July 30, 1931, and in part on or about August 14, 1931, 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.

Analysis of a sample of the article by this department showed that it consisted essentially of camphor incorporated in a fatty ointment base.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article, appearing on the carton and box labels, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Shipping carton) "For Catarrh, * * * For Piles * * * For Sore Throat * * * A most effective preparation for catarrh, inflammation * * * croup, mumps, caked breast, * * * neuralgia * * * pimples, skin eruptions. A safe remedy for piles;" (carton) "For Catarrh, For Piles, For Sore Throat * * * A most effective preparation for catarrh, inflammation, * * * croup, mumps, caked breast, * * * skin eruptions, a safe preparation for piles. * * * Directions. * * * Catarrh, * * * pimples, eruptions, neuralgia, * * * piles * * * it allays inflammation;" (tin box) "A most effective preparation for catarrh, inflammation * * * croup, mumps, caked breast * * * skin eruptions, a safe prepara-