

30643. Misbranding of Dr. Ranoll's Indian Herb Tablets and Dr. Ranoll's Indian Black Tablets. U. S. v. William H. Suter, trading as the Suter Chemical Co. Plea of guilty. Fine, \$75 and costs and probation for 1 year. (F. & D. No. 42573. Sample Nos. 1421-D, 17123-D, 17124-D.)

The labeling of this product bore false and fraudulent curative and therapeutic claims and other misrepresentations.

On September 27, 1938, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against William H. Suter, trading as the Suter Chemical Co., Altoona, Pa., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about July 14, 1937, and February 2, 1938, from the State of Pennsylvania into the State of Maryland, of quantities of the above-named drug preparations which were misbranded.

Analyses showed that the herb tablets consisted essentially of aloe, podophyllum, gentian, and capsicum, with coating materials; and that the black tablets consisted essentially of methenamine, potassium nitrate, oil of juniper, and plant drugs including buchu, uva ursi, podophyllum, and an emodin-bearing drug.

Both products were alleged to be misbranded in that the statements, "Dr. Ranoll's Indian Herb Tablets," "Dr. Ranoll's Indian Black Tablets," and "Guaranteed to comply with all the requirements of the Federal Food and Drug Act," borne on the box label and in a circular shipped with the articles, were false and misleading in that they represented that the composition of the articles was in accordance with a formula of Indian conception and that they were neither adulterated nor misbranded within the meaning of the Food and Drugs Act; whereas the composition of the articles was not in accordance with a formula of Indian conception and the articles were misbranded in violation of said act.

The herb tablets were alleged to be misbranded further in that certain statements appearing in the labeling falsely and fraudulently represented that the article was effective to cure diseases of the stomach, liver, and bowels, to cure indigestion, and to cause the stomach, liver, and bowels to discharge their respective functions regularly and normally; effective as a blood and liver medicament, as a preventive of constipation through direct action upon the liver; effective to produce a flow of bile, to cleanse the liver through removal of poisonous matter, to prevent the food from becoming sour, to prevent stomach gas and sour stomach, to regulate the liver and prevent it from becoming sluggish, to prevent the arising of conditions in the liver that might be causative of typhoid, appendicitis, piles, etc., to cure sick headache, coated tongue, irregular bowels, and to prevent brown liver spots from showing in pimples on the face; and that it would be assimilable quickly by the liver.

The black tablets were alleged to be misbranded further in that certain statements in the labeling regarding their curative or therapeutic effects falsely and fraudulently represented that they were effective to cure weak kidneys, inflammation of the bladder, backache, and that condition of the urinary and related organs of children that cause bed-wetting; effective to cure diseases of the kidneys and of the bladder; effective as a relief for weak kidneys, inflammation of the bladder, backache, and that condition of the urinary and related organs of children that cause bed-wetting; effective to invigorate and strengthen weak kidneys and remove a cause of pains in the back, scanty urine, too frequent urination, depressed and tired feeling, restlessness at night, pain in the groins, irritability, aching limbs, continuous thirst, burning sensation, backache or weak back, irritation of the bladder, lumbago, pain in the head, pain across the kidneys, pain shooting through the limbs like rheumatism, Bright's disease; and effective to relieve the failure of the kidneys to prevent an accumulation of uric acid in the blood through impaired discharge of the filter functions of the kidneys.

On May 24, 1939, the defendant entered a plea of guilty and was sentenced to pay a fine of \$75 and costs and placed on probation for 1 year.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30644. Misbranding of Benaris. U. S. v. 33 Bottles and 196 Bottles of Benaris. Default decree of condemnation. (F. & D. No. 45083. Sample No. 42283-D.)

The labeling of this product bore false and fraudulent curative and therapeutic claims.

On March 23, 1939, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district