

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 750, FOOD AND DRUGS ACT.

MISBRANDING OF A DRUG PRODUCT—"KURAKOFF."

On or about June 24, 1910, Charles A. Lewis, Somerville, Mass., shipped from the State of Massachusetts into the District of Columbia a quantity of a drug product labeled as follows: (On carton) "Kurakoff, the Lung Healer, catarrh and asthma cure. A wonderful combination of Russian white pine, Mexican wild sage honey, with new gums and oils heretofore unused. A positive cure for consumption, bronchitis, hemorrhages, asthma, catarrh, hay fever, sore and weak lungs, coughs, colds and sore throat. A speedy and never failing remedy for croup, whooping cough and diphtheria. The druggist is authorized to refund the price where it does not relieve or cure when properly tried. For sale by all druggists. Price fifty cents. X X X C. A. Lewis, New York, Kurakoff. Trade Mark Registered."; (on bottle) "X X X The great pine remedy Kurakoff. Lung healer, catarrh, Hay Fever and asthma cure X X X. A specific for kidney diseases. Absolutely harmless. I hereby guarantee that the medicine manufactured, sold and distributed by me under the name and trade mark 'Kurakoff' is not adulterated or misbranded within the meaning of the Food and Drugs Act of June 30, 1906. C. A. Lewis, Somerville, Mass."; (on circular packed with product) "* * * Is a positive cure for that dreaded scourge diphtheria, and is a sure preventative. Never a case in families where it is used. * * * Can be given with perfect safety to infants and weakest patients * * *." Samples from this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and the product was found to be a greenish-brown liquid containing 59.9 per cent nonvolatile material, including invert sugar 41.5 per cent, salicylic acid, gummy material, and a product resembling extract of squill. The balance of the product consisted largely of water with small amounts of turpentine and oil of sassafras. As the above analysis and report made showed that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded the said Charles A. Lewis and the party

from whom the samples were procured opportunities for hearings. As it appeared after hearings held that the shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General with a statement of the evidence upon which to base a prosecution.

In due course a criminal information was filed in the District Court of the United States for the District of Massachusetts against the said Charles A. Lewis charging the above shipment and alleging that the product so shipped was misbranded in that the package containing said drug bore certain statements regarding said article, to wit, that said Kurakoff was a wonderful combination of Russian white pine and Mexican wild sage honey with gums and oils heretofore unused; that said Kurakoff was a specific for kidney diseases; and that said Kurakoff was a never failing remedy for diphtheria; which said statements were false and misleading in that said Kurakoff was not a combination of Russian white pine, Mexican wild sage honey, with gums and oils heretofore unused; and that said Kurakoff was not a specific for kidney diseases and did not possess any prophylactic value in the treatment of diphtheria.

On December 12, 1910, the defendant entered a plea of nolo contendere to the above information and the court imposed a fine of \$25 and costs.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON D. C., *February 2, 1911.*