

3690. Misbranding of "Dr. Martel's Female Pills." U. S. v. 144 Boxes * * * Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5853. I. S. No. 6613-h. S. No. E-87.)

On August 14, 1914, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 144 boxes of a certain drug known as "Dr. Martel's Female Pills," remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the product had been shipped on February 16, 1914, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended August 23, 1912. The product was labeled: "Dr. Martel's Female Pills—Guaranteed by Knickerbocker Remedy Co., under the Food & Drugs Act, June 30, 1906. Serial No. 23783. A preparation for disturbances of the menstrual functions—Knickerbocker Remedy Co., Distributors—New York, U. S. A. Notice: Insist upon having the Dr. Martel preparations and do not accept substitutes. Knickerbocker Remedy Co. This preparation is designed expressly for physicians' use under whose prescription it is intended to be administered. Price \$2.00 "

It was alleged in the libel that said drug was misbranded in that the package containing the same bore a certain statement which was false and misleading, and for the further reason that the package containing said drug contained a circular which contained statements regarding the curative or therapeutic effect of said drug which were false and fraudulent.

On December 7, 1914, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *March 26, 1915.*