

4130. Misbranding of "Dr. Walker's Rheumatism Remedy." U. S. v. Sarah A. McDonald (Walker Medicine Co.). Plea of guilty. Fine, \$5. (F. & D. No. 6105. I. S. No. 1993-e.)

On June 1, 1915, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Sarah A. McDonald, trading as Walker Medicine Co., St. Paul, Minn., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about December 7, 1912, from the State of Minnesota into the State of Illinois, of a quantity of "Dr. Walker's Rheumatism Remedy" which was misbranded. The product was labeled: (On bottle) "Rheumatiz Dr. Walker's Rheumatism Remedy Removes Rheumatism, Lumbago, Sciatica, Gout, Gall Stones, Nervous Prostration, Epileptic Fits, St. Vitus's Dance, Cancer, Heart Disease, Pleurisy, Appendicitis, Dyspepsia, Female Weakness, Stomach, Blood, Liver and Kidney Purifier. A general Renovator for the System. Directions: Take one tablespoonful after each meal. If it moves the bowels too freely reduce the dose. Walker Medicine Co. St. Paul, Minn. U. S. A. Serial No. 17540 Price One Dollar." (On carton) "Rheumatiz Dr. Walker's Rheumatism Remedy Removes Rheumatism, Lumbago, Sciatica, Gout, Gall Stones, Nervous Prostration, Epileptic Fits, St. Vitus's Dance, Heart Disease, Pleurisy, Dyspepsia, Female Weakness, Stomach, Blood, Liver and Kidney Purifier. A General Renovator for the System. Walker Medicine Co. St. Paul Minn., U. S. A. Serial No. 17540. Price One Dollar." (On sides) "Dr. Walker's Rheumatism Remedy and Blood Purifier." (On back) "Dr. Walker's Rheumatism Remedy." (Statements in two foreign languages).

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	1.88
Solids (grams per 100 cc)-----	4.23
Ash (grams per 100 cc)-----	2.66
Sodium bicarbonate from alkalinity of ash (grams per 100 cc) -	4.06
Emodin, carbonates: Present.	
Salicylates, alkaloids, iodids, mercury: Absent.	
Odor indicates wormwood.	

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the labels aforesaid, to wit, (On bottle) "Rheumatiz Dr. Walker's Rheumatism Remedy Removes Rheumatism * * * Sciatica, Gout, Gall Stones, Nervous Prostration, Epileptic Fits, St. Vitus's Dance, Cancer, Heart Disease, Pleurisy, Appendicitis, * * * " (On carton) "Rheumatiz Dr. Walker's Rheumatism Remedy Removes Rheumatism, * * * Sciatica, Gout, Gall Stones, Nervous Prostration, Epileptic Fits, St. Vitus's Dance, Heart Disease, Pleurisy * * * ," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for rheumatism, sciatica, gout, gall stones, nervous prostration, epileptic fits, St. Vitus's dance, cancer, heart disease, pleurisy, and appendicitis; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for rheumatism, sciatica, gout, gall stones, nervous prostration, epilep-

tic fits, St. Vitus's dance, cancer, heart disease, pleurisy, or appendicitis. Misbranding was alleged for the further reason that the package of the article bore another statement regarding the therapeutic or curative effects thereof, to wit, "Tuberculosis Cured", said statement being incorporated in a booklet inclosed in the said package in manner and form as follows, to wit, "Tuberculosis Cured. 'Dr. George Walker. Dear Sir: After treating with a Specialist for tuberculosis in August, he held consultation with four other doctors and pronounced my case incurable. One of the doctors recommended Dr. Paquin's anti-tuberculosis serum by injection in my side. This remedy I used for about two months and quit, finding myself gradually worse, with night sweats coming on, and coughing eight hours out of the twenty-four. Hoarseness had increased to such an extent that I could scarcely talk above a whisper. This was October, 1896, and I began to think of going to Colorado for the winter, and went as far as the ticket office to inquire for transportation when a friend advised me to call on you and try your great remedy. I did so and with your remedy and good advice I concluded to stay at home with my family. I have been taking your medicine about eight months and must say it has caused a wonderful change for a person of my age (56 years). My cough has nearly stopped, and I have nearly regained my voice. I am improving daily and able to take charge of my business again. I have great faith in your medicine, and for treatment of consumption and all blood diseases I most heartily recommend you and your remedies to all sufferers, believing it will put them on their feet again where doctors and other remedies have failed. Most respectfully yours, Geo. M. Stanchfield, No. 396 Robert St. St. Paul, Minn.'" which said statement was applied to said article knowingly and in reckless and wanton disregard of its truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective as a cure for tuberculosis; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective as a cure for tuberculosis.

On June 4, 1915, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

CARL VROOMAN, *Acting Secretary of Agriculture.*