

4352. Misbranding of "Stella Vitae." U. S. v. 24 Bottles of "Stella Vitae." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5859. I. S. No. 8699-h. S. No. E-83.)

On August 17, 1914, the United States attorney for the Southern District of Georgia, 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 24 bottles of a product known as "Stella Vitae," remaining unsold in the original unbroken packages at Savannah, Ga., alleging that the product had been shipped on or about July 2, 1914, and transported from the State of Maryland into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The retail packages of the article were labeled and branded as follows: "Stella-Vitae (Star of Life) 20% Alcohol Prepared for Thacher Med. Co., Chattanooga, Tenn. Woman's Relief Mother's Cordial. A Tonic and Regulator for the Cure of Female Weaknesses and Diseases. 905 Guaranteed under Food and Drugs Act, June 30, '06. Directions: Taken as a tonic, a tablespoonful three times a day. For Difficult, Painful, or Irregular Monthly Periods, begin a few days before the expected sickness, and take a tablespoonful four times a day during the period, then three times a day. For Profuse or too Frequent flow of Menses, begin with Menstruation and take a tablespoonful every two or three hours until checked, and then take three times a day. When flow fails or is not sufficient take tablespoonful four times a day until flow is regular. For after pains take a tablespoonful four times a day until relieved. For Pains and Cramps of Pregnancy, take tablespoonful every six hours until relieved. For all Hemorrhage from Womb, especially at change of life a tablespoonful, taken three or four times a day will relieve. Special Directions in each package. Read and follow carefully."

Misbranding was alleged in the libel for the reason that the product contained no ingredients or combination of ingredients which were capable of producing the therapeutic effects claimed by the following statements, which appeared upon the retail packages, the cartons, pamphlets, and circulars which accompanied the product, to wit, (On bottle) "A tonic and Regulator for the cure of Female Weaknesses and Diseases," "When flow fails or is not sufficient take tablespoonful four times a day until flow is regular," "For all Hemorrhage from Womb, especially at Change of Life a tablespoonful, taken three or four times a day will relieve." (On carton) "A powerful tonic and regulator for all female weaknesses and diseases Eradicating the Causes of Female Diseases and Correcting Painful, Profuse, Irregular or Suppressed Menstruation." (In German) "The causes of all female diseases are entirely eradicated. * * * secure and rapid in its effect," (On leaflet) "Leucorrhœa (or Whites) is entirely cured, and patient restored to perfect health by the use of Stella-Vitae," "Falling of the Womb and all the pains and depressions accompanying this disease are promptly relieved * * *." (In pamphlet) (Page 10) "It regulates the organs by toning and strengthening them, and restores them to health and vigor, thus enabling them to perform their proper functions free from pains and distress," (Page 19) "Stella-Vitae, by its wonderful influence over the female organs, assists and aids them to throw off the diseases that have bound them as by riveted chains." (Page 20) "Inflammation of Womb-Metritis."

On June 2, 1915, 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.

C. F. MARVIN, *Acting Secretary of Agriculture.*