

**4365. Misbranding of "Brazilian Balm." U. S. \* \* \* v. 18 Cartons of \* \* \* "Brazilian Balm." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5960. I. S. No. 59-k. S. No. E-121.)**

On September 29, 1914, the United States attorney for the District of Maryland, 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 18 cartons of a preparation known as "Brazilian Balm," remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the product had been shipped and transported from the State of New York into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in the libel for the reason that the statement on the wrapper of the bottle, "Contains no alcohol or poison," and the statement on the circular, "Contains no poison," were misleading and false, because said preparation contained  $1\frac{2}{3}$  per cent of alcohol, and contained tartar emetic, which is of a poisonous nature. Misbranding was alleged for the further reason that the presence of alcohol was not declared upon the labels. It was further alleged that the 18 cartons of the preparation were misbranded in that the following claims as to the therapeutic effects: (On carton) "Brazilian Balm—A proved germicide with over 34 years unbroken record in prompt cure of Grip Croup Catarrh Pneumonia Quick Consumption Typhoid Fever Blood Poison Contagious Diseases." (On bottle) "Magic for Cough, Grip, Croup, Bronchitis, Pleurisy, Asthma, Catarrh, Hemorrhage. For Lung Troubles Inflammations Fevers Congestions," "Wonderfully healing for all outward use \* \* \* and for bowels in typhoid." (On wrapper) "Nature's remedy for coughs, colds, grippe, croup, hay fever, catarrh, asthma," "Brazilian Balm is a sovereign remedy for Coughs, Colds, Grippe, Croup, Asthma, Hay Fever, Bronchitis, Bronchial and Quick Consumption all forms of catarrh and inflammations. \* \* \* It is used with great success as a preventative and germicide in zymotic diseases, relieving Typhoid and Scarlet Fevers, Smallpox, Measles, Chickenpox, Mumps, Etc. For wounds, Lockjaw, Old Sores, Bruises, Burns, Scalds, Piles, Boils, Swellings Hemorrhages Quinsy, Sore and Ulcerated Throat, it is the most potent and healing agent known." (On small white circular) "Brazilian Balm proved germicide world champion for 32 years cures Croup in 15 minutes. Fresh Cold over night. Coughs most obdurate. Sore Throat quinsy. Weak Lungs makes sound. Grip kills the germ. Asthma prompt relief. Catarrh infallible. Blood poison from wounds. Typhoid never lost a case. Scarlet Fever 3 days. Mumps in 24 to 48 hours. Smallpox that's easy. Measles makes light. Whooping Cough soon. Chicken Pox no danger. Quick consumption to last stage," "\* \* \* it was the first and only remedy in history offered to the public for the prompt cure of Typhoid (at any stage) and for the prevention and cure of contagious diseases with an unbroken record of success of over 30 years behind it," "Its secret lies, as all scientific men agree, in its power to instantly kill the noxious germs, and the disease vanishes—or if given in time, (15 drops 4 or 5 times a day), it absolutely prevents, even to Diphtheria and Smallpox. Thus in an epidemic a 50c or \$1.00 bottle will safeguard a whole family, no matter how greatly exposed," "We do not invade the domain of the Doctor, for no doctor to our knowledge, claims to prevent and instantly cure this class of diseases—but must let them 'run their course.' Their idea is that what would kill the germs would kill the patient, yet this simple, safe and harmless balsam, without a trace of narcotics, minerals or poison in it, has never failed, or lost a case of croup, grip, catarrh, pneumonia, typhoid or contagious diseases in 30 years; thus proving that

drastic and dangerous drugs are not required in an effective antiseptic. So utterly are the germs annihilated out of every organ and tissue that no evil after results follow, as deafness, blindness, etc., after measles or scarlet fever. If Helen Keller had been treated with Brazilian Balm I believe she would not have been left deaf, dumb and blind after measles in her seventh year. It even cures quick Consumption down to the last stage if all narcotics are abandoned, which kills the effect of the Balm. Put in a wound relieves in an hour and cures the Blood Poison over night," "Used Brazilian Balm 29 years Raised 16 Children. Mrs. Isaac Galloway, Pottstown, Pa., R.F.D. writes us: 'Your wonderful Brazilian Balm has been our dependence for 29 years. I learned of it first by its curing my sister-in-law of Quick Consumption and making a well, strong woman of her. Since that time it has been our 'doctor in the house.' I have often intended to write you, but the years slipped by. It cures croup in a few minutes like magic. One dose cures a fresh cold by morning; and nothing equals it for a deepseated cold or stubborn cough, pains in chest and pleurisy. Also for cuts, burns, bruises, sores and other things too numerous to mention. Then in dreadful sickness it surpasses any doctor and cures in half the time. We have had 8 cases of Typhoid, each cured in a week; 7 of Measles and 10 of Scarlet Fever, all cured in a few days, with no after bad results. If we had used the Balm as a preventative we would have escaped these diseases, but we were careless. But there have been scores of epidemics of all kinds of contagions around us, including Diphtheria, Whooping Cough and Smallpox, which we kept away by giving the Balm faithfully every day. As you say "It kills the germs' and we have brought our 16 children through all these years without a mishap, while many about us lost their children, and some went blind or deaf and dumb under the old treatment, because they would not use this best of all remedies and save them. I feel sure that if every body knew of the value of Brazilian Balm not a family would be without it, and you may print this true story for the benefit of others," "To cure cold in head, snuff 10 drops of Brazilian Balm Guaranteed," "Brazilian Balm is the only thing on earth that kills the germ and heals the ulcers, making perfect cure in head, lungs, stomach, bowels, liver, kidneys, and female organs. Magic for coughs, grip, croup, catarrh, asthma, pleurisy, pneumonia, quick consumption, to last stage, typhoid, scarlet fever, measles, mumps, etc. Never failed or lost a case in 34 years," "Typhoid cured in Two Days," "For inflammation of the stomach or bowels, take a teaspoonful of balm in half a cup of hot water every 15 minutes until relieved. Cure sure and permanent." (On large white circular) "Brazilian Balm \* \* \* Effective Remedy for Coughs and Colds, Grip, Croup, Hoarseness, Sore Throat, Quinsy, Tonsilitis, Asthma, Catarrh and all inflammations," "Has been found useful in Quick Consumption, Typhoid, and other fevers; and as a prophylactic and mollient in many Contagious Diseases," "Prevents lockjaw and Blood Poison and cures Blood Poison in a few hours if got to the bottom of the wound," "In all parts of the human body, where there is inflammation or raw flesh and for many germ diseases, it proved its wonderful curative power in thousands of cases for 34 years for internal and external use," "Asthma \* \* \* Never has failed and is the only radical and permanent cure ever discovered," "Coughs, Colds, Grippe, Consumption, Brazilian Balm cures a fresh cold in a few hours. Take 5 drops every half hour. Cures old stubborn coughs, Has cured Many cases of Consumption that the doctors had given up," "Croup \* \* \* Child will be cured and fast asleep in a few minutes," "Dyspepsia. Brazilian Balm is a balsam having marvelous healing power, curing dyspepsia, Indigestion, Water-brash and Pain after eating," "Ear-ache. Fill the ear with warm Balm—stops Ear-ache instantly. Stops discharges from the ear and often stops noises in

the ear and cures deafness," "Eyes. Ten drops of Balm in a teaspoonful of warm water makes the best eye water in the world, quickly curing sore, weak and inflamed eyes and granulated eyelids," "Fever. Brazilian Balm is worth its weight in gold in all fevers. Take 5 drops every 20 minutes. Acts quick and sure in Typhoid and Scarlet fever, Measles, Chicken Pox, Fevers from cold, etc.," "Brazilian Balm is the only known cure for Mumps," "Blind, bleeding and Itching Piles radically cured by the Balm," "For pleurisy, pain in the side or lungs or Stiff Neck take 5 drops of Balm every half hour faithfully. Quick relief and most violent cases entirely cured in 2 or 3 days," "Invariably prevents Lockjaw," "Cures a cold quick," "The fight must be against Catarrh. It's the Father of Quick Consumption, Bronchitis, Pneumonia, Asthma and General Debility. Nearly everybody has it—more or less. Brazilian Balm cures catarrh of the kidneys, lame back and often prevents diabetes, Bright's disease," "Quick consumption—Another of the Ravages of Catarrh, is invariably cured with Brazilian Balm, as incredible as it may seem, even when at death's door, as in the case of Joseph James of Indianapolis. Has also cured old-fashioned Consumption when far advanced," "Grippe \* \* \* Nothing is known that restores the system to sound health again but Brazilian Balm in new or old cases, and it never fails," "Contagious diseases.—When Measles, Scarlet Fever, Whooping Cough, Mumps, Diphtheria, Chicken-pox or Small-pox are around give every child 10 or 15 drops every 3 or 4 hours. Often prevents the disease. Also give every ½ hour during disease. Allays fever and makes child comfortable. If scarlet fever or measles attack the throat, rub on Balm and heat it with hot flat iron—if they attack the ears, fill the ears with clear Balm—will prevent deafness—If they attack the eyes, make an eye water of the Balm and water and get into the eyes often and freely—will prevent blindness. There would never be any blind or deaf and dumb children after scarlet fever and measles if the Balm was used freely as above directed. Save your children," "Quick Consumption, Brought back From The Grave," "Disease carriers. Under the ordinary treatments for typhoid, scarlet fever, measles, diphtheria, etc. the germs are not killed but remain in the system a long time often for years. They are called Typhoid Carriers—Diphtheria Carriers', etc. and spread the disease they carry. No doubt you have heard of 'Typhoid Mary' 'Typhoid John' and others. The doctors shut up these 'carriers' in pest houses because They Cannot Kill the Germs. But people should know that every one of these germs can be cleared out of the system in a week with Brazilian Balm. Take half a teaspoonful (in water) three times a day. When Brazilian Balm is given for these diseases in the first place, they are cured always in 3 to 5 days, and Every Germ Killed; so they cannot become 'carriers,'" were misleading, false, and fraudulent, in that said article contained no ingredient, or combination of ingredients, capable of producing the therapeutic effects claimed.

On November 5, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and on December 30, 1915, it was ordered by the court that the product should be destroyed by the United States marshal.

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