

4564. Misbranding of "Fulton's Renal Compound." U. S. * * * v. 6 and 7 Cases of "Fulton's Renal Compound." Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 6834, 6835. I. S. Nos. 20203-1, 20205-1. S. No. W-62.)

On August 27, 1915, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 6 and 7 cases, respectively, of "Fulton's Renal Compound," remaining unsold in the original unbroken packages at Spokane, Wash., alleging that the article had been shipped, on or about August 14 and 19, 1915, and transported from the State of California into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled: (On case) "For Inflammation of the Kidneys Fulton's Renal Compound. For Bright's and Kidney Diseases. John J. Fulton Company, San Francisco, and Detroit." (On bottle) "Fulton's Renal Compound for Bright's and Kidney Disease, This Compound Contains Five Per cent of Alcohol Compounded Solely by John J. Fulton Co., San Francisco, Cal., and Detroit, Mich., price \$1.00, guaranteed by John J. Fulton Co., under the Food and Drugs Act June 30, 1906, No. 2339 U. S. A. Note new labels to conform to Food and Drugs Act signature must cover cork, Fulton's Renal Compound For Bright's Disease. Directions. Shake the bottle. Take 1 to 1-1/2 tablespoonfuls four times a day before or after meals; half doses if stomach is weak. This compound is free from narcotics and sedatives." The circulars accompanying the bottles contained the following: "Renal Compound For Bright's and Kidney Disease. After the symptoms are yielding to the Renal Compound * * * Directions. Mild cases—take one tablespoonful four times a day. More advanced cases—take one to one and a quarter tablespoonfuls four times a day. In advanced or extreme cases—take one to one and a half tablespoonfuls four times a day. For children five years and over a teaspoonful to a dessertspoonful according to age, three to four times a day. Bright's disease. What we claim is that three months of the treatment usually shows such improvement * * * Kidney Disease. Fulton's Renal Compound approaches kidney disease from a new direction. Instead of exciting the kidneys the motive of the Renal Compound is to oppose granulation and degeneration in Renal Tissues * * * physician gives Fulton's Renal Compound to counteract Renal degeneration * * * where the dropsy * * * Does not respond quickly enough to the compound it can be aided * * * until the compound acts and the kidneys begin to function. Fulton's Renal Compound is particularly for Bright's and Kidney Disease."

Misbranding of the article was alleged in the libels for the reason that the statements aforesaid, which appeared upon the labels and upon the circulars about the bottles, regarding the curative and therapeutic effect of said drug product, were false, fraudulent, and misleading.

On January 31, 1916, 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.

CARL VROOMAN, *Acting Secretary of Agriculture.*