

**4635. Misbranding of "Persil." U. S. \* \* \* v. Arrow Distilleries Co., a corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 6998. I. S. No. 960-k.)**

On March 23, 1916, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Arrow Distilleries Co., a corporation, Peoria, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about November 11, 1914, from the State of Illinois into the State of Massachusetts, of a quantity of "Persil," which was misbranded. The article was labeled: (On cap) "Persil." (Neck label) "Fama Best on Earth Volat." (Main label) "Victoria Brand Persil Asparagus, Celery, Buchu, Juniper and finest distilled Gin Prepared only for Thompson & Co. Boston, Mass. by Arrow Distilleries Co., Peoria, Ill. U. S. A. Beware of Imitation Persil Alcohol By Volume 40% New label adopted January 1st 1912. Contents One Quart. Victoria Brand Persil Has no equal for the purpose for which it should be used. It is composed of the finest medicinal vegetable ingredients. Recommended by the foremost authorities in cases of bladder and kidney trouble. It contains just enough spirits to keep the ingredients in solution, and possesses the natural color from these ingredients, such as Asparagus, Parsley, Celery, Buchu and Juniper Berries. Beware of Imitations. Arrow Distilleries Co. Distillers Peoria, Ill." (On back of bottle) "The Medicinal Value of the Ingredients used in the Preparation of Persil, according to two eminent authorities on Pharmacy and Materia Medica: Prof. Joseph P. Remington, of Philadelphia, and Prof. Hager, of Berlin, Germany. Buchu: Dr. Remington states that 'Buchu' is an excellent diuretic or kidney exhilarant and stimulant. Asparagus: Dr. Hager states that 'Asparagus' is a powerful diuretic and exceptionally valuable as a Uric Acid Solvent. Parsley: Dr. Remington states that 'Parsley' is efficient in increasing the flow of Urine. Juniper Berries: Dr. Hager states and dwells at length on the wonderful service 'Juniper Berries' have given in the treatment of kidney complaints. It is indispensable as a diuretic and general stimulating properties. Celery Seed: This useful ingredient is very good as a nerve sedative or to quiet the nerves."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product consisted essentially of alcohol (39.47 per cent by volume), and did not contain appreciable quantities of celery, buchu, juniper, asparagus, or parsley.

Misbranding of the article was alleged in the information for the reason that the following statements regarding it and the ingredients and substances contained therein, appearing on the labels aforesaid, to wit, (Main label) "\* \* \* Persil Asparagus, Celery, Buchu, Juniper and finest distilled Gin \* \* \*," (On back of bottle) "The medicinal Value of the Ingredients used in the Preparation of Persil, according to two eminent authorities on Pharmacy and Materia Medica: Prof. Joseph P. Remington, of Philadelphia, and Prof. Hager, of Berlin, Germany. Buchu: Dr. Remington states that 'Buchu' is an excellent diuretic or kidney exhilarant and stimulant. Asparagus: Dr. Hager states that 'Asparagus' is a powerful diuretic and exceptionally valuable as a Uric Acid Solvent. Parsley: Dr. Remington states that 'Parsley' is efficient in increasing the flow of Urine. Juniper Berries: Dr. Hager states and dwells at length on the wonderful service 'Juniper Berries' have given in the treatment of kidney complaints. It is indispensable as a diuretic and general stimulating properties. Celery Seed: This useful ingredient is very good as a nerve sedative or to quiet the nerves," were false and misleading in that they

indicated to purchasers thereof that the article contained appreciable and significant amounts of buchu, asparagus, parsley, juniper berries, and celery seed, when, in truth and in fact, it did not. Misbranding was alleged for the further reason that the following statements regarding the therapeutic or curative effects of the article, appearing on the label aforesaid, to wit, (Main label) “\* \* \* Persil Has no equal for the purpose for which it should be used. It is composed of the finest medicinal vegetable ingredients. Recommended by the foremost authorities in cases of bladder and kidney trouble \* \* \*,” were false and fraudulent in that the same were applied to the 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 bladder and kidney troubles, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents, but did contain ingredients which might render the article harmful when used in the treatment of diseases of the kidneys or bladder due to, or accompanied by, inflammation.

On April 18, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

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