

5528. Misbranding of "Compound Prickly Ash Bitters." U. S. * * * v. Prickly Ash Bitters Co., a corporation. Plea of guilty. Fine, \$20 and costs. (F. & D. No. 7289, I. S. Nos. 11050-1, 11154-1.)

On September 20, 1916, the United States attorney for the Eastern District of Missouri, 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 Prickly Ash Bitters Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about December 8, 1915, and November 23, 1915, from the State of Missouri into the States of Texas and Louisiana, respectively, of quantities of an article labeled in part, "Dr. B. F. Sherman's Compound Prickly Ash Bitters * * *," which was misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it was essentially a hydroalcoholic solution containing sodium acetate, emodin-bearing drugs, capsicum, aromatics, and plant extractives; buchu indicated.

It was alleged in substance in the information that the article in the shipment on December 8, 1915, was misbranded for the reason that certain statements appearing on the labels of the bottles and cartons falsely and fraudulently represented it is a remedy for gallstones, retention or suppression of urine, as a treatment for inflammation of the kidneys and diabetes, as a remedy for indigestion, dyspepsia, and hepatitis, and as a preventive of the dangerous diseases that attack the kidneys, when, in truth and in fact, it was not.

It was alleged in substance that the article in the shipment on November 23, 1915, was misbranded for the reason that certain statements appearing on the labels of the bottles and cartons falsely and fraudulently represented it as a preventive of the dangerous diseases that attack the kidneys, as a remedy for gallstones, incontinence of urine, retention or suppression of urine, difficulty in passing urine, pains in back and loins, headache, diabetes, leucorrhoea (whites), and irregular periods, indigestion, dyspepsia, and hepatitis, and as a remedy and treatment for inflammation of the kidneys and diabetes, when, in truth and in fact, it was not.

On May 7, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$20 and costs.

CARL VROOMAN, Acting Secretary of Agriculture.