

**5684. Misbranding of "Cummings Blood Remedy." U. S. \* \* \* v. Edwin D. Richardson, Lessee (F. P. Cummings Co.). Plea of guilty. Fine, \$50. (F. & D. No. 7698. I. S. No. 1784-1.)**

On January 18, 1917, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Edwin D. Richardson, lessee, trading as F. P. Cummings Co., Roanoke, Va., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about February 26, 1916, from the State of Virginia into the State of West Virginia, of a quantity of an article labeled in part, "Cummings Blood Remedy," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Potassium iodid (grams per 100 cc)_____	2.2
Alkaloid (grams per 100 cc)_____	.012
Plant extractive material: Present.	
Sarsaparilla: Indicated.	
Sugars (grams per 100 cc)_____	13.9
Alcohol (per cent by volume)_____	20.6
Mercury: Absent.	
Arsenic: Absent.	

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on its label falsely and fraudulently represented it as a remedy for white swellings, when, in truth and in fact, it was not.

Misbranding was alleged in substance for the further reason that certain statements included in the circular or pamphlet accompanying the article falsely and fraudulently represented it as a remedy in the treatment of scrofula and for consumption, as a preventive of consumption, as [a] cure for catarrh, heart disease, and syphilis, and as a permanent cure for la grippe, when, in truth and in fact, it was not.

On June 20, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

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