

5896. Misbranding of "Dr. E. E. Burnside's Purifico." U. S. * * * v. Charles W. Diffin and Pearl B. Diffin (The Purifico Co.). Pleas of guilty. Fine, \$25. (F. & D. No. 6678. I. S. Nos. 746-k, 747-k, 748-k.)

On May 9, 1916, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles W. Diffin and Pearl B. Diffin, copartners, trading as the Purifico Co., Buffalo, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about March 5, 1915, from the State of New York into the State of Massachusetts, of quantities of articles labeled in part, "Dr. E. E. Burnside's Purifico No. 1 or 2 or 3," which were misbranded.

Analysis of samples of the articles by the Bureau of Chemistry of this department showed the following results:

(1)

Alcohol (per cent by volume)-----	10.4
Methyl alcohol: Absent.	
Solids (per cent)-----	20.6
Ash (per cent)-----	1.1
Sucrose (Clerget) (per cent)-----	13.0
Reducing sugar (invert) (per cent)-----	2.5
Glycerin (per cent)-----	0.8
Potassium iodid (per cent)-----	0.4
Cinchona alkaloids (per cent)-----	0.14
Chloroform soluble resin (per cent)-----	0.4
Piperine: Present.	
Emodin (probably senna): Present.	
Arsenic: Absent.	
Mercury: Absent.	
Salicylates: Absent.	

(2)

Alcohol (per cent by volume)-----	9.0
Methyl alcohol: Absent.	
Solids (per cent)-----	20.4
Ash (per cent)-----	0.8
Sucrose (Clerget) (per cent)-----	13.2
Reducing sugar (invert) (per cent)-----	2.4
Glycerin (per cent)-----	0.7
Potassium iodid (per cent)-----	0.6
Cinchona alkaloids (per cent)-----	0.04
Chloroform soluble resin (per cent)-----	0.16
Piperine: Present.	
Emodin: Absent.	
Salicylates: Absent.	
Mercury: Absent.	
Arsenic: Absent.	

(3)

Alcohol (per cent by volume)-----	14.3
Solids (per cent)-----	20.8
Sucrose (per cent)-----	13.3
Reducing sugar as invert (per cent)-----	3.5
Ash (per cent)-----	0.88
Ash contains calcium, magnesium, chlorin, phosphorus pentoxide, potassium, and sodium.	

Iodids and bromids: Absent.

Valerian: Present.

Piperine: Present.

Tannic acid: Present.

Ammonia: Absent.

Emodin: Absent.

Arsenic, mercury, and other heavy metals: Absent.

It was alleged in substance in the information that the articles were misbranded for the reason that certain statements appearing on the labels thereof falsely and fraudulently represented them to be effective as a remedy for cancer, tumor, all forms of goiter, erysipelas, scrofula, eczema, cancers, tumors, salt rheum, and all forms of ulcers, when, in truth and in fact, they were not. It was alleged in substance that the articles were misbranded for the further reason that certain statements included in the booklet accompanying the articles falsely and fraudulently represented them to be effective as a remedy for cancer, tumor, all forms of goiter and all unnatural growths, eczema, erysipelas, scrofula, impurities of the blood, and infections; to remove from the blood all impurities and poisons and to bring all the organic functions to their full efficiency; as a remedy for hopeless and desperate cases of cancer, unnatural growths, and cancerous growths; as a preventive for cancer; as a remedy for all blood diseases; as a cure for cancer of the armpit, cancer of breast and cancer of eye; as a remedy for tuberculosis; to remove cancer; as a cure for cancerous tumor; to remove internal cancer; as a cure for cancer of lip and tongue, cancer of the rectum, cancer of nose, recurring cancer, cancers in abdomen and cancer of face and neck; as a remedy for cancer of bowels; as a cure for fibroid tumor, fibroid tumor of uterus, tumor on shoulder, fibroid tumor on neck; as remedy for fibroid tumor of uterus and rheumatism; as a cure for tumor of bowels, goiter, erysipelas, tuberculosis of glands, eczema, cancer of face and nervous prostration; as a remedy for fistula and as a cure for gall stones, when, in truth and in fact, they were not.

On November 27, 1917, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*