

6119. Misbranding of "Dr. Fenner's Kidney and Backache Remedy." U. S. * * * v. M. M. Fenner & Co., a corporation. Plea of nolo contendere. Fine, \$25. (F. & D. No. 5936. I. S. No. 8132-e.)

On June 22, 1915, 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 the M. M. Fenner Co., a corporation, alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about January 14, 1913, from the State of New York into the State of Ohio, of a quantity of an article labeled in part, "Dr. Fenner's Kidney and Backache Remedy," which was misbranded.

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

Alcohol (per cent by volume)-----	11.66
Solids (grams per 100 cc)-----	6.24
Potassium acetate (grams per 100 cc)-----	1.91
Methyl salicylate: Present.	
Alkaloids: None found.	
Test for iodids: Negative.	

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on the label falsely and fraudulently represented it to be effective as a cure for inflammation of the kidneys, bladder, or any part of the urinary passages, gravel in the kidneys or bladder, and for restoring these organs to a healthy condition so as to prevent further formations; as a cure for catarrh of the bladder, dropsy, heart disease, rheumatism, leucorrhoea, and erysipelas; for relieving all diseases of the kidneys, bladder, and urinary passages, leucorrhoea or whites, ulcerations, all blood disorders such as salt rheum, erysipelas and all skin eruptions, scrofula, old ulcers, heart disease, dropsy, swelled limbs, and swelled glands, when, in truth and in fact, it was not.

On December 3, 1917, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$25.

R. A. PEARSON, *Acting Secretary of Agriculture.*