

6178. Misbranding of Egiuterro, Uicure, No. A., No. B., No. C., and No. D., Sweet Rest for Children, Beaver Drops Comp., Blood-Kleen, Heart and Nerve Regulator, Kidneyleine, Eye Powder, Tanrue Herbs and Pills, and 5 Herbs. U. S. * * * v. Albert G. Groblewski. Plea of nolo contendere. Fine, \$210. (F. & D. No. 8362. I. S. Nos. 522-1, 527-1, 528-1, 529-1, 530-1, 531-1, 532-1, 533-1, 536-1, 537-1.)

On January 29, 1918, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Albert G. Groblewski, Plymouth, Pa., alleging shipment by said defendant, on or about June 3, 1916, in violation of the Food and Drugs Act, as amended, from the State of Pennsylvania into the State of New Jersey, of quantities of articles labeled in part: "Egiuterro," "Uicure No. A, No. B, No. C, and No. D," "Sweet Rest for Children," "Beaver Drops Comp.," "Blood-Kleen," "Heart and Nerve Regulator," "Kidneyleine," "Eye Powder," "Tanrue Herbs and Pills," and "5 Herbs," which were misbranded.

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

Egiuterro: This product consists essentially of aloes, magnesium sulphate, jalap, strychnine, alcohol, and water, flavored with methyl salicylate.

Uicure: Sample consists of five bottles marked, "No. A," "No. B," "No. C," "No. D," "No. E."

Bottle "No. A" is filled with a dark liquid with a sediment at the bottom and contains essentially aloes, magnesium sulphate, menthol, alcohol, and water. No morphine. Alcohol, 19.6 per cent by volume.

Bottle "No. B" is filled with a dark red solution and consists of alcohol, ammonia, chloroform, ether, oil of sassafras, menthol, benzoic acid, cinnamic acid, resins, and an unidentified alkaloid.

Bottle "No. C" is filled with a light brown liquid with a slight sediment. It contains essentially a hydroalcoholic solution of quinine sulphate and capsicum. No morphine.

Bottle "No. D" is filled with a dark, bluish liquid with a slight fluorescence. It consists essentially of a hydroalcoholic solution of gum guaiac, ammonia, ammonium carbonate, oil of rosemary and other essential oils, and morphine.

Bottle "No. E" contains large whitish compressed tablets consisting essentially of lithium, sodium carbonates, salicylates, salol, talc, and starch.

Sweet Rest for Children: This product consists essentially of asafoetida, magnesium carbonate, opium, sugar, water, and alcohol.

Beaver Drops Comp.: This product consists essentially of a resin with peculiar odor dissolved in alcohol and water.

Blood Kleen: Product appears to be a hydroalcoholic sirup, containing essentially alcohol, 13.60 per cent, potassium iodid, about 5 per cent, sarsaparilla, licorice, and other unidentified plant-extractive material. It contains also an emodin-bearing drug resembling rhubarb, and arsenic in small quantity. The phosphate found in ash is apparently due to plant phosphorus.

Heart and Nerve Regulator: This product consists essentially of chloral hydrate, sodium bromide, morphine, valerianic acid, capsicum, oil of cinnamon (as a flavor), glycerine, sugar, alcohol, and water.

Kidneyleine: This product consists essentially of a hydroalcoholic solution of acetates and nitrates of potassium and ammonium, an alkaloid, and aromatics. Spartein indicated. Alcohol, per cent by volume, 23.4.

Eye Powder: This product consists essentially of iodoform and boric acid; no alkaloids.

Tanrue Herbs and Pills: Tansy, rue, pennyroyal, hepatica, sassafras, ginger, cinnamon, verbena, podophyllum, and an unidentified flower (compositae) were found; pills contain licorice. Taste indicates aloes.

5 Herbs: Mistletoe, stramonium, skullcap, and black cohosh were found.

It was alleged in substance in the information that Egiuterro was misbranded for the reason that certain statements appearing on the label falsely and fraudulently represented it as a preventive of smallpox, and as a remedy for rheumatism, dyspepsia, all kinds of fevers, all stomach disorders, all sores, inflammations, swellings, coughs, headaches, for pimples, blotches, boils, and all kinds of skin eruptions which are due to the impure blood or disarranged condition of the liver and kidneys, when, in truth and in fact, it was not. Misbranding of the article was alleged for the further reason that it contained alcohol, and the label on the bottle failed to bear a statement of the quantity or proportion of alcohol contained therein.

It was alleged in substance that Uicure was misbranded for the reason that certain statements, and a certain design and device, appearing on the label of the carton, falsely and fraudulently represented the four articles to be effective, when used in conjunction, as a cure for rheumatism, acute and chronic rheumatism, rheumatic fever, inflammatory rheumatism, stiffness, pain, tenderness, swelling, and redness of joints, acute rheumatoid arthritis, pyemia, sciatica, neuralgia, gout, podagra, gongra, chiragra, and all kinds of true rheumatic affections, when, in truth and in fact, it was not. Misbranding of "Uicure No. A and No. C" was alleged, in substance, for the reason that each article contained alcohol, and the labels on the bottles failed to bear a statement of the quantity or proportion of alcohol contained therein. Misbranding of Uicure No. B was alleged, for the reason that it contained alcohol, chloroform, and ether, a derivative of alcohol, and the label on the bottle failed to bear a statement of the quantity or proportion of alcohol, chloroform, and ether contained therein. Misbranding of Uicure No. D was alleged for the reason that it contained alcohol and opium, and the label on the bottle failed to bear a statement of the quantity or proportion of alcohol and opium contained therein.

It was alleged in substance that Sweet Rest for Children was misbranded for the reason that certain statements appearing on the label falsely and fraudulently represented it as a remedy for fretful, cross, and nervous babies, and as a remedy for three-months' colic, when, in truth and in fact, it was not. Misbranding of the article was alleged for the further reason that it contained alcohol and opium, and the label on the bottle failed to bear a statement of the quantity or proportion of alcohol and opium contained therein.

It was alleged in substance that Beaver Drops Comp. was misbranded for the reason that certain statements appearing on the label falsely and fraudulently represented it as a remedy for irregular menses, ailments due to irregular menses, and nervous ailments due to irregular menses, when, in truth and in fact, it was not. Misbranding of the article was alleged for the further reason that it contained alcohol, and the label on the bottle failed to bear a statement of the quantity or proportion of alcohol contained therein.

It was alleged in substance that Blood-Kleen was misbranded for the reason that certain statements appearing on the label falsely and fraudulently represented it to be effective, when used in connection with Egiuterro No. 1, as a treatment for syphilis, scrofula, eczema, psoriasis, anemia, ulcers, cancer, tetter, all diseases of blood and skin of venereal origin, and as a remedy for rheumatism and lockjaw, and, when used in connection with Egiuterro and Tenyad Pills, as a remedy for syphilis, chancres, and all venereal diseases of blood and skin, when, in truth and in fact, it was not so effective, either when used alone or in connection with Egiuterro No. 1 or Egiuterro and Tenyad Pills. Misbranding of the article was alleged for the further

reason that it contained alcohol, and the label on the bottle failed to bear a statement of the quantity or proportion of alcohol contained therein.

It was alleged in substance that Heart and Nerve Regulator was misbranded for the reason that certain statements appearing on the label falsely and fraudulently represented it to be effective as a heart and nerve regulator, and as a remedy for palpitation of the heart and all troubles of the nervous system arising therefrom, and as the most perfect sedative agent for delirium tremens, St. Vitus dance, hysteria, melancholia, sleeplessness, imaginary visions, fright, nervous headache, and nervousness, when, in truth and in fact, it was not. Misbranding of the article was alleged for the further reason that the statement, "Nerve and Heart Regulator * * * Most Harmless * * *," on the carton, was false and misleading in that it represented that the article contained no harmless [harmful] ingredient, whereas, in truth and in fact, it did contain harmful ingredients, to wit, opium and chloral hydrate. Misbranding of the article was alleged for the further reason that it contained alcohol, opium, and chloral hydrate, and the label on the bottle failed to bear a statement of the quantity or proportion of the alcohol, opium, and chloral hydrate contained therein.

It was alleged in substance that Kidneyline was misbranded for the reason that certain statements appearing on the label falsely and fraudulently represented it as a remedy for Bright's disease, dropsy, retention of urine, and all troubles of the kidney, bladder, and urinary organs, when, in truth and in fact, it was not. Misbranding of the article was alleged for the further reason that the statement, "Contains alcohol 30%," was false and misleading in that it represented that the article contained 30 per cent of alcohol, whereas, in truth and in fact, it did not, but contained a less amount, 23.4 per cent of alcohol; and for the further reason that it contained alcohol, and the labels failed to bear a statement of the quantity or proportion of alcohol contained therein.

It was alleged in substance that Eye Powder was misbranded for the reason that a certain statement appearing on the label falsely and fraudulently represented it as a treatment and remedy for cataract and sore eyes, when, in truth and in fact, it was not.

It was alleged in substance that Tanrue Herbs and Pills was misbranded for the reason that a certain statement appearing on the label falsely and fraudulently represented it as a treatment and remedy for suppressed, painful, and irregular menses, when, in truth and in fact, it was not.

It was alleged in substance that 5 Herbs was misbranded for the reason that certain statements appearing on the label falsely and fraudulently represented it to be effective, when used in connection with Iron Blood Tonic, Nerveheartone, and Egiuterro, as a remedy for epilepsy, "fallen" sickness, and fits, when, in truth and in fact, it was not.

On March 14, 1918, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$210.

CARL VROOMAN,
Acting Secretary of Agriculture.