

6446. Misbranding of Mrs. Joe Person's Remedy. U. S. * * * v. 60 Cases of Mrs. Joe Person's Remedy. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8663. I. S. No. 3469-p. S. No. E-947.)

On December 12, 1917, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 60 cases of Mrs. Joe Person's Remedy, remaining unsold in the original unbroken packages at Richmond, Va., alleging that the article had been shipped on or about November 9, 1917, by the Person Remedy Co., Charlotte, N. C., and transported from the State of North Carolina into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in the libel for the reason that the statements borne on the labels of the packages, to wit, "A General Tonic, Alterative, and a Purifier of the Blood. For Erysipelas, Muscular Rheumatism, Tetters, Eruptions and Diseases that come from Impurities of the Blood, also Indigestion and Stomach Troubles," and numerous other statements, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed on the labels.

On May 28, 1918, the said Person Remedy Co., a corporation, claimant, having requested that the product be delivered to it, and it appearing to the court from the allegations of the libel that the article was misbranded within the meaning of the Food and Drugs Act, it was ordered by the court that the product should be released to said claimant company upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, said bond conditioned in part that the claimant company would correctly brand and label the product.

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