

9704. Misbranding of Madame Dean female pills. U. S. * * * v. 1 Dozen Packages and 6 Packages * * * of * * * Madame Dean Female Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13263, 13481. I. S. Nos. 480-t, 12387-t. S. Nos. C-2144, C-2293.)

On August 14 and September 2, 1920, respectively, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 1 dozen packages and 6 packages, more or less, of Madame Dean female pills, remaining unsold in the original packages at Cincinnati and Columbus, Ohio, respectively, consigned by Martin Rudy, Lancaster, Pa., on or about May 24, 1920, and August 20, 1919, respectively, alleging that the article had been shipped from Lancaster, Pa., and transported from the State of Pennsylvania into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of quinine, aloes, ferrous sulphate, senecio flowers and herb, ginger root, and cornstarch.

Misbranding of the article was alleged in substance in the libels for the reason that the following statements appearing on the box label and in the accompanying wrapper, booklet, and circular, (box label and wrapper) “* * * Female Pills * * * give relief in Female Disorders of the menstrual functions. * * * for Painful, Irregular, and Scanty Menstruation,” (booklet) “* * * irregular, prolonged, or suppressed menstruation. * * * Female Pills afford relief for these ailments. * * * a remedy intended solely for the relief of Amenorrhoea, Dysmenorrhoea, scanty and irregular menstruation, and other derangements of the reproductive system, * * * especially valuable in the functional changes * * * of the menopause or change of life. * * * act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation, and assist in re-establishing or restoring, the menstrual or monthly periods. * * * strengthen and build up the uterine function,” (circular) “* * * a great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel, * * * for irregular, painful, scanty or suppressed menstruations, * * * should be taken * * * to assist nature with * * * disorders * * * during the change of life period. * * * Continue with the treatment until they give relief. * * * great relief from Pains or Headache; for suppressed Menstruation, * * * continue their use until relieved * * * take * * * until the menstrual flow commences again * * *,” were false and fraudulent in that the said article contained no ingredients or combination of ingredients capable of producing the therapeutic effects claimed and in that it was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the above-quoted statements in and upon said packages.

On February 12 and 19, 1921, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*