

9816. Misbranding of Madame Dean female pills. U. S. * * * v. 12 Packages * * * of * * * Madame Dean Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13532. Inv. No. 23560. S. No. C-2425.)

On August 28, 1920, the United States attorney for the Western District of Missouri, 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 12 packages, more or less, of Madame Dean female pills, remaining in the original unbroken packages at St. Joseph, Mo., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on or about June 12, 1919, and transported from the State of Pennsylvania into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box 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 * * * 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 * * * Continue * * * 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. * * * Special Strength * * * should relieve the most obstinate cases * * *"

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, hydrastis, ginger, and cornstarch.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing on the cartons and containers and in the accompanying booklets and circulars, regarding the curative and therapeutic effects of the article contained therein, were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On October 7, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was 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.*

9817. Misbranding of Wendell's Ambition pills. U. S. * * * v. 194 Small Packages, 30 Large and 204 Small Packages, and 120 Small Packages * * * of Wendell's Ambition Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13542, 13543, 13642. I. S. Nos. 4279-t, 4300-t, 13076-t. S. Nos. C-2169, C-2170, C-2173.)

On August 30 and September 7, 1920, respectively, the United States attorney for the Northern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district

libels for the seizure and condemnation of 194 small packages, 30 large and 204 small packages, and 120 small packages of Wendell's Ambition pills, remaining in the original unbroken packages at Cleveland and Akron, Ohio, respectively, alleging that the article had been shipped by the Wendell Pharmacal Co., Inc., Syracuse, N. Y., between the dates October 31, 1919, and June 30, 1920, and transported from the State of New York into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. A portion of the article was labeled in part, (carton) "* * * Pills Ambition Brand. Beneficial in the treatment of * * * Nervous Debility, Sleeplessness, Despondency, Mental Depression, Hysteria, Nervous Headaches, Dyspepsia, Indigestion, * * * Affections of the Nervous System." The remainder of the article was labeled in part, (carton) "* * * Ambition Pills The Great Nerve Tonic. * * * Nervous Debility, Weakness, * * * Kidney * * * Complaints, Malaria, Rheumatism, Neuralgia, exhausted Nervous Vitality, Nervous Prostration, Sleeplessness, Despondency, Mental Depression, Hysteria, Numbness, Trembling, Nervous Headaches, Dyspepsia, Indigestion, * * * and all affections of the Nervous System."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained nux vomica extractives, quinine, and aloin.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements regarding the curative and therapeutic effects thereof, appearing in the labeling, were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 3 and 11, 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.*

9818. Misbranding of Parry's vegetable compound. U. S. * * * v. 7 Bottles of Parry's Vegetable Compound No. 2 and 233 Bottles * * * of Parry's Vegetable Compound. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13816, 13855. I. S. No. 5817-t. Inv. No. 24415. S. Nos. E-2841, E-2860.)

On October 25 and November 9, 1920, respectively, the United States attorney for the Western District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 7 bottles of Parry's Vegetable Compound No. 2, and 233 bottles of Parry's Vegetable Compound Nos. 1 to 14, inclusive, remaining unsold in the original unbroken packages at Blasdell and Buffalo, N. Y., respectively, consigned by the Parry Medicine Co., Inc., Pittsburgh, Pa., alleging that the article had been shipped from Pittsburgh, Pa., August 2 and October 7, 1920, respectively, and transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it contained olive oil, alcohol, water, and amaranth coloring matter.

Misbranding of the article was alleged in substance in the libels for the reason that the following statements appearing on the bottle label with respect to the product known as "No. 2." consigned August 2, 1920, to wit, "For Cancer,