

corporation, trading at Chicago, Ill., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about January 25, 1932, from the State of Illinois into the State of Michigan, of a quantity of Dr. Tripp's Tonic Prescription which was misbranded.

Analysis of a sample of the article by this Department showed that it consisted essentially of potassium iodide (2.28 grains per 100 millimeters), red saunders, extracts of plant drugs, including cinchona, a laxative drug such as cascara sagrada, sugar, alcohol, and water.

It was alleged in the information that the article was misbranded in that certain statements, designs, and devices regarding its therapeutic and curative effects, appearing in the booklet shipped with the article, falsely and fraudulently represented that it was effective to restore vitality and to preserve and restore health; effective as a treatment, remedy, and cure for blood impurities, rheumatism, inflammatory rheumatism, arthritis, torticollis, neuritis, all blood and skin troubles, nervous debility, fevers of various types, constant headaches, pains and aches throughout the body, sciatica, kidney ailments, acne, eczema, pimples, blackheads, scrofula, nervous and physical breakdown, and most human ills; effective to awaken the functioning of dormant organs and to remove obstructions from those that are clogged; effective as a restorative for disorders of the blood, stomach, and nerve systems; effective as a treatment, remedy, and cure for blotches, blemishes, backache, a general run-down condition, liver diseases, kidney diseases, bladder diseases, gout, lumbago, women's ailments, and a completely shattered system; effective as a dissolver of poisons and as a cleanser of the system; effective to carry toxins out of the blood circulation, to alkalinize the blood stream, and to reduce acidosis; effective as an organic purification; and effective as a treatment, remedy, and cure for chronic ailments, sallow complexion, high blood pressure, and sore joints.

On February 1, 1934, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

M. L. WILSON, *Acting Secretary of Agriculture.*

22025. Adulteration and misbranding of Healthagain. U. S. v. 11 Bottles of Healthagain. Default decree of forfeiture and destruction.
(F. & D. no. 29183. Sample no. 26790-A.)

This case involved a product labeled to convey the impression that it was a food medicine of vegetable origin and contained no harmful drugs. Examination showed that the article contained a mineral drug, that it was not a food, and that it might be harmful. The labeling also bore unwarranted curative and therapeutic claims.

On November 4, 1932, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 11 bottles of Healthagain at Fremont, Ohio, alleging that the article had been shipped in interstate commerce on or about October 25, 1932, by the Healthagain Laboratories, from Wellsburg, W. Va., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of Epsom salt (approximately 20 percent), extracts of plant drugs, including laxative drugs such as jalap, senna, and rhubarb, alcohol (approximately 3.2 percent), sugar (approximately 20 percent), and water.

It was alleged in the libel that the article was adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, namely: (Bottle) "Compounded of U.S.P. Vegetable extracts and alfalfa."

Misbranding was alleged for the reason that the statements, "Compounded of U.S.P., vegetable extracts and alfalfa", "A food medicine", and "No harmful drugs", borne on the labels, were false and misleading, since the article contained Epsom salt, among other ingredients; it was not a food; and the ingredients of which the article was composed might be harmful. Misbranding was alleged for the further reason that the statements, "Healthagain", appearing on all bottles, "Recommended for use in the treatment of diabetes", appearing on certain bottles, "Recommended for use in the treatment of Liver", appearing on certain bottles, and "Recommended for use in the treatment of dropsy special", appearing on certain bottles, were false and fraudulent.

On July 18, 1933, no claimant having appeared for the property, judgment of forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*