

**4438. Misbranding of "Dr. Wrightsman's Sovereign Balm of Life." U. S. \* \* \* v. Ray W. Senger et al. (D. B. Senger & Co.). Pleas of guilty. Fine, \$25 and costs. (F. & D. No. 6393. I. S. No. 2286-e.)**

On July 27, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Ray W. Senger and Frank H. Senger, trading as D. B. Senger & Co., Franklin Grove, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about February 18, 1913, from the State of Illinois into the State of Oregon, of a quantity of "Dr. Wrightsman's Sovereign Balm of Life," which was misbranded. The article was labeled: (On carton) "Dr. Wrightsman's Sovereign Balm of Life Trade Mark Contains 9% Alcohol A Sovereign Balm for Suffering Women This Bottle and Wrapper adopted 1907. D. B. Senger & Co. Sole Proprietors Franklin Grove Ill. 3136. Guaranteed by D. B. Senger & Co. under the Food and Drugs Act, June 30, 1906. Price \$1.00" (On back of carton) "Sovereign Balm of Life The Sovereign Balm of Life has been prepared by its present proprietors since 1882, and since that time has proven itself to be truly a 'Sovereign Balm' to thousands of 'Suffering Women.' It was originally prepared with the view of relieving the suffering connected with pregnancy, and it has done wonders along this line. However, the seven different medicinal ingredients contained in it are such that they have at all times a special restorative and tonic effect upon the uterine organs, and are valuable in cases of painful and irregular menstruation, as well as suppression or profusion of this function. It is also a great help for all those down-bearing feelings and displacements. If used in the early stages of these troubles, a cure is often effected, and in cases of long standing, that have become chronic, it will do as much or more than any medicine will do in giving relief. It is especially valuable to the young girl merging into womanhood, as it assists nature to establish her functions. It is equally valuable in the period known as the 'Change of Life.' This is often a dangerous period and unhealthy women should approach it with some apprehension. The expectant mother has found this is the most reliable if not the ideal preparation for the relief of her sufferings. It is only too well known that much suffering attends child-bearing, not only at the confinement but with many during the whole of the nine months' period preceding. The Sovereign Balm of Life gives relief to all unnatural feeling of distress, such as morning sickness, pains and aches of various kinds, numbness and varicose veins in limbs, cramps, nervousness, sleeplessness, future forebodings, making her feel well and strong, and often able to attend to her household duties up to the day of confinement. It so assists nature that the time in parturition is usually very much shortened, often to but one-half hour, and attended with but little suffering. It reduces the danger at such times and recovery is much more speedy. It does not contain any of the opiates and only enough alcohol to preserve it. No ill effects ever result from its use. It complies with the requirements of the Food and Drug Law, passed by Congress, June 30, 1906, and is guaranteed under Serial No. 3136. Price \$1.00" (On sides of carton) "Dr. Wrightsman's Sovereign Balm of Life This medicine is an excellent Female Tonic and Regulator. Just the remedy for women who suffer during the menstrual period of their lives, including the young girl approaching womanhood, as well as those who have reached that period called 'change of life.' It is also a Sovereign Balm for all other weaknesses peculiar to women. See Printed Matter Inside This Wrapper for Full Particulars. Dr. Wrightsman's Sovereign Balm of Life This medicine has proven itself to be a Sovereign Balm to thousands of mothers, by relieving them of the suffering and distress

common in the period of gestation. It tones and strengthens the reproductive organs and so assists nature that a speedy delivery in parturition attended with but a moderate amount of pain is often the result. For Fuller Particulars See Printed Matter Inside of Wrapper." (On bottle) "Dr. Wrightsman's Sovereign Balm of Life Trade Mark Contains 9% Alcohol. A Sovereign Balm for Suffering Women 3136 Guaranteed under the Food and Drugs Act June 30, 1906. Directions: Take before each meal and at bed time from half a tablespoonful to a tablespoonful in 3 or 4 times as much water. Shake the Bottle. D. B. Senger & Co. Sole Proprietors. Franklin Grove, Ill. Price \$1.00." (On back of bottle) "General Directions The Sovereign Balm of Life has a tonic and restorative effect upon the uterine organs of the female. Its use should be begun when its need is felt. Expectant Mothers may use it at any time but should use it regularly during the last three or four months of pregnancy. The bed-time dose should not be neglected as it gives sweet, restful sleep. Remember it does this without the use of any of the narcotics, or any harmful ingredient in the medicine. There is no ingredient in it to act especially on the bowels, and where constipation exists, something must be done to make the bowels move regularly every day. Sometimes our Baby Powder in teaspoonful doses is sufficient for this purpose. If not a stronger laxative must be used. Should there be any nausea when beginning its use be sure and take small doses in plenty of water. This is rare and not to be looked for. The continued use of the Sovereign Balm of Life for a week or ten days after confinement is often a great help to a speedy and permanent recovery. For Painful Menstruation we would recommend that its use be begun a few days or a week before this period and continue to the end. Then stop and begin again in the same manner the next month. With proper care a marked improvement will be observed each time. Remember that, for whatever purpose it is used, a few doses or even a bottle will not always do all we claim for it. Its use should be continued until the desired results are obtained." (Blown in bottle) "Sovereign Balm of Life." The booklet accompanying the article contained, among other things, the following: "Where mothers are subject to miscarriages it usually carries them through to their full time, if its use is commenced in time." "Where the Sovereign Balm of Life is used, recovery is also much more speedy and sure, because the nervous system has not received such a great shock. No person can endure great pain for hours without its affecting their natural health."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	8.7
Nonvolatile matter (grams per 100 cc)-----	17.5
Ash (gram per 100 cc)-----	0.19

A hydroalcoholic solution of drug extractives carrying a faint trace of alkaloids, tannin, a resin (*Uva ursi* indicated), and glycerin.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label of the carton aforesaid, to wit, "Dr. Wrightsman's Sovereign Balm of Life \* \* \* the seven different medicinal ingredients contained in it are such that they have at all times a special restorative and tonic effect upon the uterine organs, and are valuable in cases of painful and irregular menstruation, as well as suppression or profusion of this function. It is also a great help for all those \* \* \* displacements. If used in the early stages of these troubles, a cure is often effected, and in cases of long standing,

that have become chronic, it will do as much or more than any medicine will do in giving relief. \* \* \* It is only too well known that much suffering attends child-bearing \* \* \*. The Sovereign Balm of Life gives relief to \* \* \* morning sickness, \* \* \* and varicose veins in limbs \* \* \*," and included in the booklet aforesaid, to wit, "Where mothers are subject to miscarriages it usually carries them through to their full time, if its use is commenced in time," "Where the Sovereign Balm of Life is used, recovery is also much more speedy and sure, because the nervous system has not received such a great shock. No person can endure great pain for hours without its affecting their natural health," were false and fraudulent in that the same were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, for the relief and cure of suppressed and profuse menstruation and displacements of the uterus, for the relief of morning sickness in pregnancy, and varicose veins, for preventing miscarriages when used in time, and for lessening the shock of childbirth, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

On November 19, 1915, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4439. Misbranding of "Celery-Vesce." U. S. v. James Vannatta, et al. (Century Chemical Co.). Plea of guilty by defendant Vannatta to count 1 of indictment. Fine, \$50 and costs. Count 2 of indictment nolle prossed. (F. & D. No. 6394. I. S. No. 7906-e.)**

At the November term, 1915, of the District Court of the United States for the District of Indiana, the grand jurors of the United States in and for said district, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned an indictment against James Vannatta and C. Cromer Burget, trading as Century Chemical Co., Indianapolis, Ind., charging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on December 3, 1912, from the State of Indiana into the State of Ohio, of a quantity of "Celery-Vesce," which was misbranded. The article was labeled: "Celery Trade Mark Vesce Acetphenetidin less than four per cent Compound Vanilla Flavoring (Granular Effervescent) Keep Dry, Cool and Well Corked Pleasant As Cream Soda A speedy remedy for Headache, Neuralgia, Sleeplessness, Depression, induced by excessive indulgence in liquor, Sour Stomach, Indigestion, Nausea, Painful Menstruation, and other Nervous Disorders. Celery-Vesce contains no morphine, opium, antipyrine, bromo or acetanilid. It is exhilarating instead of stupefying. Directions:—Dash with force a third of a glass of water on a heaping teaspoonful. Drink while foaming. Repeat in twenty minutes if necessary. Price \$1.00 2-12 Guaranteed under the Pure Food and Drugs Act, June 30, 1906 Serial No. 862. Prepared only by Century Chemical Co. Mfg. Chemists Indianapolis, Ind." (Blown in bottle) "Celery-Vesce Chemical Co., Indianapolis, Ind. U. S. A." (On carton) "Celery-Vesce Acetphenetidin less than 4 per cent. Compound Vanilla Flavoring. Guaranteed by Century Chemical Co. under the Pure Food and Drugs Act, June 30, 1906. Serial No. 862. Contains No Opiates Is Exhilarating Instead of Stupefying Price \$1.00 Prepared Only By Century Chemical Company Manufacturing Chemists Indianapolis Indiana Celery-Vesce Celery-Vesce —For—Headache Neuralgia Nervousness Sour Stomach Indigestion Sleeplessness and Painful Menstruation Pleasant as Cream Soda." The circular or pamphlet accompanying the article contained, among other things, the following: "In all cases where the brain and nervous system are in an abnormal condition, one or two full doses of Celery-Vesce will restore healthy action to the brain and nerves." "As a remedy for the chronic use of morphia or liquor, Celery-Vesce is without a rival, its bracing effect lessening the desire for opium or spirits, and thus furnishing valuable assistance to those who are endeavoring to break away from the morphine habit or the chronic use of alcoholic beverages." "You have no idea of the wonderful virtues of a celery compound until you try Celery-Vesce, the king of remedies and a giant of healing power. You cannot afford to be without it if you are subject to Headache, Neuralgia, Nervousness, Bad Stomach, Insomnia, or Painful Menstruation. In these ailments it acts as if by magic."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Acetphenetidin (per cent).....	3.20
Caffeine (per cent).....	1.04
Sodium phosphate (per cent).....	0.27
Celery (by odor): Insignificant.	
Vanillin and coumarin: Indicated.	

Misbranding of the article was charged in the first count of the indictment for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing in the circular or pamphlet aforesaid, to wit,