

4559. Misbranding of "Dr. MacDonald's Atlas Compound Famous Specific No. 18." U. S. v. Jeremiah MacDonald. Plea of guilty. Fine, \$30. (F. & D. No. 6818. I. S. No. 7143-e.)

On October 29, 1915, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Jeremiah MacDonald, Binghamton, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about January 27, 1913, from the State of New York into the State of Tennessee, of a quantity of "Dr. MacDonald's Atlas Compound Famous Specific No. 18," which was misbranded. The article was labeled: (On box) "Dr. MacDonald's Atlas Compound Famous Specific No. 18 The Greatest Remedy on Earth For Catarrh, Rheumatism, Blood, Stomach, Heart, Liver, Kidney, and all Nervous Ailments. Guaranteed by me under the Food and Drugs Act of June 30, 1906, No. 938. The King of all Tonics." (On back of box) "Directions: Adults should take one or more Tablets immediately after each meal. Children in proportion to their age. If the bowels move too freely take less. Do not eat bananas, oatmeal, potatoes or starchy food of any kind while taking Atlas Compound. J. MacDonald, M. D. None Genuine without my signature; to imitate which is Forgery." (On sides of box) "Prepared for J. MacDonald, M. D. Binghamton, N. Y. Price 50 Cents For Sale by all Druggists." The circular or pamphlet accompanying the article contained, among other things, the following: "Do not get discouraged if a disease of long standing is not cured in a short time. This remedy works strictly in line with Nature and removes the cause of the disease. Several months are required in some cases, for it is better to take small doses for a long period, than larger doses. It will thoroughly cleanse the blood of all disease and purify the system if given time." "Atlas Compound is the safest and best blood purifier in the world. It does not shock the system. It gently and thoroughly cleanses the blood of all impurities and stimulates the debilitated organs. It is the best medicine that can be given to the very young or very old person. Sick, puny children as well as elderly people become strong, fat, and healthy while taking Atlas Compound. It acts by increasing the appetite and the digestion becomes enormous. It acts like magic. No medicine cures so quickly and its cures are permanent. Children require very small doses, mixed with fruit, or sauce, or scraped apple."

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

Ash (per cent)-----	41.9
Calcium carbonate (per cent)-----	38.73
Sodium sulphate (per cent)-----	15.36
Magnesium salts, calculated as magnesium sulphate (per cent)-----	1.08
Sugar (per cent)-----	18.1
Ginger, fluorescein, phosphate, emodin, and starch:	Present.
Alkaloids:	Trace.

Quinine and strychnine: Not detected.

Pills consisted essentially of sodium sulphate, sodium bicarbonate, a laxative plant drug (apparently aloes), ginger, small amount of phosphate, trace of alkaloid and talc, and were coated with starch, calcium carbonate, and sugar. This coating was colored with fluorescein.

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 aforesaid, to wit, "Dr. MacDonald's Atlas Compound

Famous Specific No. 18 The Greatest Remedy on Earth For Catarrh, Rheumatism, Blood, Stomach, Heart, Liver, Kidney, and all Nervous Ailments * * *," and included in the circular or pamphlet aforesaid, to wit, "* * * It will thoroughly cleanse the blood of all disease and purify the system if given time," and "Atlas Compound is the safest and best blood purifier in the world" were false and fraudulent in that the same were applied to said 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, as a remedy for catarrh, rheumatism, and blood, stomach, heart, liver, kidney, and all nervous ailments, for cleansing the blood of all diseases, and purifying the system, if administered in time, and effective as a blood purifier, 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 3, 1915, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$30.

CARL VROOMAN, *Acting Secretary of Agriculture.*