

4832. Misbranding of Turpentine Man's, or Tydings' Remedy. U. S. v. Charles Tydings et al (Charles Tydings & Co.). Plea of guilty. Fine, \$5 and costs. (F. & D. No. 6012. I. S. No. 6077-e.)

On April 24, 1915, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles Tydings and Edith Tydings, copartners, trading under the firm name of Charles Tydings & Co., Ocala, Fla., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about February 20, 1913, from the State of Florida into the State of Georgia, of a quantity of Turpentine Man's or Tyding's Remedy, which was misbranded. The article was labeled: (On bottle) "This Label adopted July, 1909. (Trade mark) Turpentine Man's Registered No. 42413, or Tydings' Remedy Formerly called Turpentine Man's Sure Cure for Pock For Blood Diseases of all Kinds and Rheumatism Price, \$1.50 Directions: Take one teaspoonful in glass of water after each meal, and take Tydings' Blossoms, as needed to clean out the system. Use Terkeeween Oil Nerve and Bone Liniment, or Turpentine Mans' Kidney Plasters for all aches and pains, 25¢ each. Guaranteed by Tydings & Co., under the Pure Food and Drug Act, June 30th, 1906. No. 17788. Tydings & Co., manufacturers, 27 South Main Street, Ocala, Florida." The pamphlet accompanying the article contained, among other things, the following: "The use of 1 bottle will convince the most skeptical of the real merits of 'Turpentine Man's' or Tydings' Remedy and will enable anybody to test its wonderful power in restoring and invigorating the whole system; in renovating and enriching the blood; in giving an appetite and a tone to the stomach, in curing, and in thoroughly eradicating Pock, Scrofula, Scrofulous Humors, Scald-Head, Syphilitic Affections, Cancerous Humors and growths, Ringworm, Salt Rheum, Boils Pimples and Humors on the face, Catarrh, Headaches, Dizziness, Faintness, Sick Stomach, Constipation Pains in the Back, Female Diseases of all kinds, General Debility and Rheumatism, and all diseases arising from an impure state or low condition of the blood." "* * * It positively aids and strengthens weak and impaired and debilitated organs; invigorates the nervous system; tones and strengthens the digestive organs, and imparts new life and vigor to all the organs of the body. The peculiar points of this medicine are that it does not weaken, but builds up and strengthens the whole system while it drives out and eradicates disease from the system."

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

Potassium iodid (per cent)-----	7.44
Alcohol (per cent)-----	4.9
Salicylic acid (per cent)-----	0.3
Glucose (per cent)-----	64.3
Sugar (per cent)-----	2.86
Traces of sulphates, phosphates, calcium, ammonium salt, and an unidentified alkaloid.	

Product is a glucose sirup containing potassium iodid, alcohol, and traces of salicylic acid, phosphates, calcium, and an alkaloid.

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, "* * * for Blood Diseases of all Kinds * * *," and included in the circular or pamphlet aforesaid, to wit, "* * * its wonderful power in * * * curing and in thoroughly eradicating * * * Cancerous * * * growths, * * * Salt Rheum, * * * Catarrh * * * Female Diseases of all kinds, * * * and all diseases

arising from an impure state or low condition of the blood," 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, as a remedy for blood diseases of all kinds, in curing and in thoroughly eradicating cancerous growths, salt rheum, catarrh, female diseases of all kinds, and all diseases arising from an impure state or low condition of the blood, 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. Misbranding was alleged for the further reason that the article contained 4.9 per cent alcohol, and its package failed to bear a statement on the label of the quantity or proportion of the alcohol contained therein.

On January 18, 1916, a plea of guilty was entered on behalf of the defendant firm, and the court imposed a fine of \$5 and costs.

CARL VROOMAN,
Acting Secretary of Agriculture.