

3736. Misbranding of "Tetterine." U. S. v. 12 Dozen Packages of * * * Tetterine. Product ordered released on bond. (F. & D. No. 5975. I. S. No. 113-k. S. No. E-125.)

On or about October 6, 1914, the United States attorney for the Eastern District of South Carolina, 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 dozen packages of a product known as "Tetterine," remaining unsold in the original unbroken packages at Columbia, S. C., alleging that said product had been shipped, on or about August 12, 1914, by the Shuptrine Co., Savannah, Ga., and transported from the State of Georgia into the State of South Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The packages were labeled: "Tetterine. The Antidote for Ringworm, Tetter, and all Skin Diseases. Guaranteed by Shuptrine Company under the Food and Drugs Act, June 30, 1906. Serial No. 374. Registered 1885 by J. T. Shuptrine, Savannah, Ga." The carton and box were labeled: "The antidote for * * * Tetter, and all skin diseases." The carton was labeled: "Tetterine, a marvelous remedy for * * * Tetter, Eczema, * * * and all contagious itching Eruptions—For Scaldhead, Dandruff and all Eruptions of the Scalp causing premature Baldness Tetterine is a Specific."

In the circular accompanying the product appeared the following: "The greatest of Skin Remedies in Household Use. This Remedy is composed of purest of antiseptic germicidal ingredients in the form of a fragrant ointment very pleasant to use and harmless to the most delicate skin. The success which has attended the use of Tetterine in the assuage of all forms of itching skin diseases has been marvelous, curing thousands where many other so-called skin cures have failed. For the speedy and permanent relief of that most tormenting, burning, itching eczema, and all humors of the skin and scalp, old ulcers, chafes, infants' soreheads, scalds, inflammations, bunions and corns, Tetterine is a true panacea. A simple anointing with Tetterine, preceded by a hot bath with Tetterine Soap, will relieve the most intense itching and will effect a speedy and permanent alleviation of the most distressing, aggravating form of burning, itching and scaly eruptions of the skin and scalp, if used a reasonable length of time. Its use is especially indicated in the treatment of infants and children, cleansing, soothing and healing the most distressing of infantile humors, and preserving, purifying and beautifying the skin, scalp and hair. The majority of all itching skin humors are eczematous, of which itching, burning, and scaling are the most distressing symptoms. It is in the treatment of these distressing and tormenting afflictions that Tetterine works wonders, curing, in many instances in a few applications, the most aggravating cases of years standing. If those who are afflicted with skin diseases of any description will intelligently follow these directions in the use of Tetterine the most satisfactory results will be obtained. In the treatment of a large proportion of Skin Troubles met with, it requires, as a rule, only a few applications of Tetterine, applied at night, to promptly and permanently relieve. Tetterine relieves these old stubborn cases as surely as it does the slightest rash on a tender cheek, but it requires the exercise of a reasonable amount of common sense in its use. To make sure of a cure it is necessary to have the diseased surface thinly coated with the Tetterine and so bind or protect with a bandage, stocking-glove, etc., as to prevent the salve from being rubbed off. Apply the Tetterine in this way night and morning, removing the dead skin every day with a soft brush, * * * In the worse cases where the eruption has existed for a number of years, it may be necessary to keep up this treatment for as long as six weeks to make sure of a permanent cure. For crusts on the scalp, causing baldness, cleanse the scalp with a wash made with one teaspoonful Ammonia water, one pint water and Tetterine soap, as directed below. After two days wash the scalp thoroughly with Tetterine soap and apply the Tetterine as at first. Only a few applications will be needed to bring about the desired result. For old itching sores use as an ointment twice daily. For itching Piles use twice a day.

It is impossible to enumerate the great number of skin disorders for which Tetterine is a most pleasant panacea. Every family should keep it and use it for everything that attacks the skin."

Misbranding of the product was alleged in the libel for the reason that said medicine or drug known as "Tetterine" was composed of an ointment consisting of a base of petroleum carrying as therapeutic agents boric acid and salicylic acid, and contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed on said boxes, cartons, and circulars. Misbranding was alleged for the further reason that said words and figures, together with said name "Tetterine" so declared, marked and printed in and upon the said boxes, cartons, and circulars as aforesaid, were misleading, false, and fraudulent, and said medicine or product was misbranded regarding the curative or therapeutic effects of such article, or any of the ingredients or substances contained therein.

Thereafter the said Shuptrine Co., claimant, filed its answer to the libel, in which, without admitting or denying the allegation of misbranding contained therein, it consented to a decree of condemnation and prayed that it be allowed the privilege of reclaiming the product by giving bond.

On February 11, 1915, it appearing to the court that said company had executed a good and sufficient bond in the sum of \$250 to the effect that the product should not be sold or otherwise disposed of contrary to the provisions of the act of Congress approved on the 30th day of June, 1906, and it further appearing that all the costs had been paid by said company, an order was entered that the product should be turned over and delivered by the United States marshal to said claimant.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *April 16, 1915.*