

**5240. Misbranding of "Dr. DeWitt's Eclectic Cure" and "Dr. DeWitt's Liver, Blood and Kidney Remedy." U. S. \* \* \* v. W. J. Parker. (W. J. Parker Co.). Plea of nolo contendere. Fine, \$40 and costs. (F. & D. No. 7636. I. S. Nos. 3614-1, 3615-1.)**

On October 10, 1916, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against W. J. Parker, trading as the W. J. Parker Co., Baltimore, Md., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about April 10, 1916, from the State of Maryland into the State of Georgia, of quantities of articles labeled in part, "Dr. DeWitt's Eclectic Cure" and "Dr. DeWitt's Liver, Blood and Kidney Remedy," which were misbranded.

Analysis of a sample of the "Eclectic Cure" by the Bureau of Chemistry of this department showed that it consisted essentially of alcohol, water, ether, oil of sassafras, capsicum, and opium alkaloids, with lobelia indicated.

Misbranding of this article was alleged in substance in the information for the reason that certain statements, appearing on its labels and included in the circular or pamphlet accompanying it, falsely and fraudulently represented it as a remedy and cure for cholera, diarrhea, indigestion, neuralgia, headache, sore throat, rheumatism, cholera morbus, and sprains, and as effective for the relief of diphtheria, and as a remedy for cholera infantum, when, in truth and in fact, it was not.

Analysis of a sample of the "Liver, Blood and Kidney Remedy" by said Bureau of Chemistry showed that it consisted essentially of a hydroalcoholic extract of buchu and rhubarb, with the iodids, nitrates, chlorids, and sulphates of magnesium, calcium, sodium, and potassium.

Misbranding of this article was alleged in substance for the reason that certain statements appearing on its labels aforesaid, and included in the circular or pamphlet accompanying it, falsely and fraudulently represented it as effective for the relief of Bright's disease, diabetes, retention of the urine, malaria, pains under the shoulder blades, back, and sides, all diseases arising from derangement of the liver and kidneys, and scrofula, for restoring diseased kidneys to healthy action, for the relief of pains in the back of the head, abdomen, and back, and sick headache, as a preventive and remedy for kidney diseases, and as a remedy for female weakness, when, in truth and fact, it was not.

On October 10, 1916, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$40 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*