

11418. Misbranding of Plough's Prescription C-2223. U. S. v. 60 Bottles, et al., of Plough's Prescription C-2223. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 17367, 17368, 17369. I. S. Nos. 7013-v, 7014-v, 7015-v. S. Nos. C-3936, C-3937, C-3938.)

On March 15, 1923, 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 libels praying the seizure and condemnation of 160 bottles of Plough's Prescription C-2223 at Chicago, Ill., alleging that the article had been shipped by the Plough Chemical Co., Memphis, Tenn., in three consignments, namely, on or about December 19, 1922, and February 8 and 13, 1923, respectively, and transported from the State of Tennessee into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product consisted essentially of potassium iodid, extracts of plant drugs including colchicum, a trace of salicylic acid, anise flavor, glycerin, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the following statements, appearing on the labels of the bottles and cartons containing the said article and in the accompanying circulars, regarding the curative and therapeutic effect of said article, (bottle) "A Blood Purifier Recommended for Treatment of Rheumatism * * * In severe cases, take * * * until relieved," (carton) "Blood Purifier Recommended for disorders caused by impure blood as Eczema, Chronic Sores and constitutional blood disorders [diseases]. Rheumatism * * * Sciatica, Lumbago, Lame Back, Uric and Lactic Acid Conditions," (circular) "A Reliable Blood Purifier A Treatment for Rheumatism * * * Sciatica, Lumbago, Lame Back. Blood Disorders Eczema, Chronic Sores and Similar Diseases Caused by Bad Blood. * * * In the treatment of Scrofula, Rheumatism, certain Catarrhal Conditions, Hereditary Blood Taints, Diseases of the Bones, Ulcerous Sores, Prescription C-2223 has been recommended and used for many years. Helpless, unhappy persons who had given up all hope of relief, have found in this Blood Purifier a means of relief. Men, women and even children, whose energy has been sapped and their life almost wrecked, who were troubled with festering sores or tortured with rheumatic pains, have been relieved from the grip of these diseases, after the continued use of or treatment with Prescription C-2223. * * * for any trouble due to poisoned or tainted blood, get you a bottle of Prescription C-2223. * * * 'In * * * conditions due to tainted blood, it acts as a specific.' * * * 'the most valuable remedy known in the treatment of rheumatism; it eases the pain, diminishes the fever—results are almost certain in acute * * * cases.' * * * Prescription C-2223 has relieved * * * many thousands, suffering from Rheumatism, * * * Lumbago, Sciatica, diseases due to tainted or impure blood, evidenced by chronic Sores, Scrofula, Eczema and other similar conditions of the skin," were false and fraudulent in that the said statements were applied to the article so as to represent falsely and fraudulently to the purchaser thereof and create in the minds of such purchasers the impression and belief that the said article contained ingredients or medicinal agents or combinations of ingredients effective as a remedy for the several ailments and afflictions mentioned therein, whereas, in truth and in fact, it contained no ingredients or combination of ingredients capable of producing such effects.

On April 18, 1923, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11419. Misbranding of Chicawampa tea. U. S. v. 447 Packages of Chicawampa Tea. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 17397. I. S. Nos. 1739-v, 1740-v. S. No. E-4337.)

On March 22, 1923, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 447 packages of Chicawampa tea at Boston, Mass., alleging that the article had been shipped by the Chicawampa Tea Co., Reno, Nev., in part on or about December 12, 1922, and in part on or about January 19, 1923, and transported from the State of Nevada into the State of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.