

**13960. Misbranding of D-O-D specific. U. S. v. 9 Boxes of D-O-D Specific. Default decree of condemnation, forfeiture, and destruction.**  
(F. & D. No. 20347. I. S. No. 6009-x. S. No. E-5206.)

On or about August 20, 1925, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 9 boxes of D-O-D specific, remaining in the original unbroken packages at Mount Carmel, Pa., alleging that the article had been shipped by the C. Nelson Smith Co., Milwaukee, Wis., on or about February 9, 1925, and transported from the State of Wisconsin into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended.

Analysis by the Bureau of Chemistry of this Department of a sample of the article showed that it consisted of a mixture of soda, potassium, permanganate, and traces of charcoal and Epsom salt. In a dilution of  $\frac{1}{2}$  teaspoonful to 1 gallon it failed to kill the germs of typhoid fever in two hours.

Misbranding of the article was alleged in the libel for the reason that the following statements regarding the curative and therapeutic effects of the said article, borne on the label and accompanying folder, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Box label) "For Diphtheria, sore throat, stomach and bowel troubles \* \* \* Gangrene \* \* \* Barber's itch \* \* \* cholera morbus, colic \* \* \* sores, eczema, hives, rashes, and other skin diseases \* \* \* See folder for directions," (folder) "D-O-D The Human Cleanser \* \* \* Good Health is natural but we indulge in Excesses which affect us and often our children. We do not live according to nature's laws, consequently poisonous bacteria develop and cause many diseases. If nature itself does not expel them and the Dead Tissue which they cause, Help must come from some other source. D-O-D by actual use has proven to be a help in ridding the system of these injurious substances. \* \* \* most efficient in treating particular diseases. \* \* \* This circular contains directions in the use of D-O-D. Follow Them Closely. This is very Important for upon it depends relief \* \* \* diseases which frequently prove fatal. Gangrene \* \* \* To You, the Afflicted—My case was a diabetic gangrene of the most aggravated kind. The disease had progressed all over one foot, to one and a half inches above the ankle. I was suffering excruciating agony \* \* \* my condition gave little hope of improvement. That left only one conclusion for me—the grave. \* \* \* I was induced to use D-O-D. The first treatment gave immediate and great relief. Now, after using D-O-D for three months, I am in perfect condition. My foot does not ache and the gangrene has entirely disappeared" (dated July 12, 1917), "July 12, 1917, I made affidavit that I had been cured of diabetic gangrene by the use of D-O-D only. \* \* \* The gangrene first attacked me on December 13, 1913. It went from bad to worse until in March, 1914, I had my left foot amputated about four inches below the knee. In March, 1917, it broke out in my right foot \* \* \* reached a condition which seemed beyond cure. Up to that time I had never used D-O-D, but from the date I began to use it improvement began and continued until completely cured. I am so anxious to relieve the suffering of those afflicted with this dreadful disease that I am volunteering this affidavit as conclusive evidence of the value of D-O-D and its effect upon me. I believe D-O-D properly applied and directions closely followed will cure any case of diabetic gangrene. \* \* \* a diabetic abscess developed on my right foot and gangrene followed immediately \* \* \* my limb was amputated \* \* \* Then gangrene developed in the other foot \* \* \* there is a medicine \* \* \* called D-O-D that will cure gangrene \* \* \* I tried it \* \* \* there was a notable change for the better \* \* \* made a complete and lasting cure. \* \* \* I am satisfied that D-O-D applied according to directions will cure any case of diabetic gangrene. \* \* \* I had diarrhoea and bowel cramps so badly that I almost died. \* \* \* I used D-O-D for five days; it positively put my stomach and bowels in order. Also \* \* \* I developed what is known as a T. B. rectum \* \* \* the fistula \* \* \* got very large \* \* \* I injected a solution of D-O-D every evening \* \* \* and the same became cured. D-O-D did nothing more nor less than save my life \* \* \* is absolutely indispensable for bed patients \* \* \* will \* \* \* heal bed sores \* \* \* I was suffering with Kidney and Bladder trouble \* \* \* an eminent physician diagnosed my illness as tuberculosis of the kidney \* \* \* I \* \* \* had given up

hope of getting well \* \* \* a friend \* \* \* spoke \* \* \* about D-O-D \* \* \* I decided to give it a trial \* \* \* I noticed an improvement and continued its use with excellent results. \* \* \* am in better health than I have been in 15 years. \* \* \* I cannot speak too highly of your D-O-D and can recommend it to any one who may be suffering from Kidney and Bladder trouble. \* \* \* Eczema Running Sores Shingles Hives Rashes Barber's Itch Poison Ivy \* \* \* An efficient and harmless douche is so important and necessary in maintaining the good health of womankind that we give it special mention. \* \* \* D-O-D as a douche \* \* \* It is a perfect cleanser, cuts away dead tissue and kills poisonous seed or germs \* \* \* Steam and Vaporizing Asthma Influenza Bronchitis Catarrh Colds Sore Throat Hay Fever Grippe \* \* \* Poisonous Bites \* \* \* Flesh Infection Blood Poisoning \* \* \* Carbuncles Boils \* \* \* Use Internally for stomach and bowel troubles Dyspepsia Dysentery \* \* \* Ptomaine Poisoning Cholera Morbus Colic \* \* \* Pyorrhoea \* \* \* Diabetes Piles \* \* \* If you would keep disease away, begin at the fountain source—the mouth. \* \* \* Food \* \* \* fills the cavities in the teeth and the space between them and very quickly develops bacteria injurious to health \* \* \* If this is not destroyed \* \* \* it may spread disease to the different parts of the system. The brushing of the teeth \* \* \* does not necessarily kill the bacteria. You must have a strong antiseptic. D-O-D properly used will do the work. \* \* \* Use  $\frac{1}{8}$  of a teaspoonful of D-O-D powder in a glass of pure, warm water. Hold a mouthful of the fluid in the mouth one-half minute to a minute at a time. When you have used the glassful, the danger of infection will be overcome. \* \* \* Last, but not least, for health and youthful feeling is a D-O-D bath."

On January 4, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13961. Adulteration and misbranding of hominy feed. U. S. v. the Chapman-Doake Co. Plea of guilty. Fine, \$60 and costs. (F. & D. No. 19291. I. S. Nos. 9102-v, 9103-v, 9104-v.)**

On August 4, 1925, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Chapman-Doake Co., a corporation, Decatur, Ill., alleging shipments by said company, in violation of the food and drugs act, on or about January 18, 1924, from the State of Illinois into the State of Indiana, of quantities of hominy feed which was adulterated and misbranded. The article was labeled in part: "The Chapman-Doake Company, of Decatur, Ill., Guarantees this Hominy Feed to contain not less than 7.0 per cent of crude fat, 10.0 per cent of crude protein."

Analysis by the Bureau of Chemistry of this Department of a sample of the article from each shipment showed that it contained approximately 9.5 per cent protein and 3.8 per cent fat and that it consisted largely of ground corn or corn feed meal.

Adulteration of the article was alleged in the information for the reason that ground corn or corn feed meal had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in part for hominy feed, which the said article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "The Chapman-Doake Company, of Decatur, Ill., Guarantees this Hominy Feed to contain not less than 7.0 per cent of crude fat, 10.0 per cent of crude protein," borne on the tags attached to the sacks containing the article, was false and misleading, in that the said statement represented that the article consisted wholly of hominy feed and contained not less than 7 per cent of crude fat and not less than 10 per cent of crude protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of hominy feed and contained not less than 7 per cent of crude fat and not less than 10 per cent of crude protein, whereas it did not consist wholly of hominy feed but did consist in part of ground corn or corn feed meal and did contain less than 7 per cent of crude fat and less than 10 per cent of crude protein.