

17389. Misbranding of Smith's blood, liver, and kidney remedy. U. S. v. 35 Bottles of Smith's Blood, Liver, and Kidney Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 24617, 24618. I. S. Nos. 037429, 037430. S. Nos. 2970, 2971.)

On March 18, 1930, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 35 bottles of Smith's blood, liver, and kidney remedy, in part at Mason, Okla., and in part at Okemah, Okla., alleging that the article had been shipped by Health Aid Laboratories (Inc.), from Dallas, Tex., in 2 shipments on or about January 28, and February 4, 1930, respectively, and transported from the State of Texas into the State of Oklahoma, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of extracts of plant drugs, potassium acetate, small amounts of magnesium sulphate, potassium iodide and salicylic acid, alcohol and water.

It was alleged in the libel that the article was adulterated (misbranded) in violation of section 8 of the said act in the case of drugs, in that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "Blood, Liver and Kidney Remedy * * * This is the most wonderful medicine known for the treatment of all diseases arising from a disordered condition of the Blood, Liver and Kidneys, such as Rheumatism, Neuralgia, Catarrh, Piles, Diarrhea, Venereal Diseases, Chills, Fevers, Stomach and Bowel complaints, Dyspepsia, Indigestion, Constipation, Cleanses the Stomach, regulates the Bowels. For Malaria and Bilious Attacks, Backache, Lumbago, Swimming in Head, * * * Swollen Feet and Ankles, Gas, and Sour Stomach, Gouty Conditions and Dropsy Symptoms, High Blood Pressure, Influenza, Eczema, and is a perfect tonic. It is good for Female Complaints. * * * Smith's Famous Blood, Liver and Kidney Remedy overcomes intestinal sluggishness by causing a normal activity of the liver, increasing the flow of bile, equalizing the portal circulation, thus rendering its effect of a permanent nature, thereby helping to build up the general health. * * * Health Aid * * * This Famous Medicine is Guaranteed to give perfect satisfaction for diseases arising from a disordered condition of the Blood, Liver, Kidneys, and Stomach. * * * Directions: First day, for an adult should be two tablespoonfuls after each meal to start the bile from the liver to remove it from the stomach. * * * In treating Chills, Fevers, Malaria, etc., adults should take two or three tablespoonfuls every two hours until chills and fever stops. In bilious attacks, take two or three tablespoonfuls every two or three hours, * * * until the system is thoroughly cleansed. For children * * * in cases of chills, fevers, constipation, etc., * * * We, the Health Aid Laboratories, Inc., guarantee Smith's Famous Blood, Liver and Kidney Remedy to give perfect satisfaction in treating cases arising from a disordered condition of the Blood, Liver, Kidneys and Stomach. * * * Health."

On May 26, 1930, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17390. Misbranding of Dr. Kaufmann's sulphur bitters. U. S. v. 32 Bottles of Dr. Kaufmann's Sulphur Bitters. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24509. I. S. No. 012543. S. No. 2792.)

On February 7, 1930, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, praying seizure and condemnation of 32 bottles of Dr. Kaufmann's sulphur bitters, remaining in the original unbroken packages at Birmingham, Ala., alleging that the article had been shipped by A. P. Ordway & Co., from New York, N. Y., on or about July 16, 1929, and transported from the State of New York into the State of Alabama, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of extracts of plant drugs including aloe, podophyllum, and a bitter drug such as gentian, a very small amount of sulphur, alcohol, and water.