

Analysis of a sample of the article by this department showed that it consisted essentially of potassium iodide, gualacol, extracts of plant drugs, sugar, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Translation from Spanish, carton) "For the treatment of Muscular and Acute Rheumatism, Inflammation due to Gout, Lumbago and Sciatica;" (bottle) "Anti-Rheumatic * * * for the treatment of Articular and Muscular Rheumatism, Sciatica, Inflammatory Rheumatism, all acute manifestations of Rheumatism and Gout. The best Depurative for the Impurities of the Blood;" (circular) "Rheumatism, Under the word 'Rheumatism' there are included various affections of different nature: First, The acute affection in the articulations, known in medicine under the name of Acute Articular Rheumatism. Second, The disease or maybe the series of diseases named Chronic Rheumatism, and Third, Muscular Rheumatism. Acute Articular Rheumatism * * * There are possibilities that the inflammation may extend to the heart * * * chronic rheumatism * * * muscular rheumatism * * * treatment * * * The best thing that has proven to be of the best value, as it is demonstrated by numerous testimonials of individuals that were almost crippled and that had lost all hope of living, is the discovery of the celebrated and famous Syrup Kofressi. This has been the savior of humanity * * * Anti-Rheumatic Syrup Kofressi * * * about a year ago I was suffering from a terrible Rheumatic affection, accompanied by infarcts in the glands, specially those of the right armpit. This deprived me for a long time to attend to my business, because it was very difficult for me to do it on account of the pain. No longer being able to resist such terrible disease, and no alleviation having been felt with all the medicines I had taken * * * I noticed that the Rheumatism was ceasing, the gland disappeared and that a sensation of good feeling was announcing me the return of my health. * * * This I make public as a duty * * * I feel highly grateful for having returned to me the most precious gift, Health, with the best Anti-Rheumatic Specific that has ever been known."

On March 7, 1931, 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.*

18043. Misbranding of Dr. Livingston's Regenerator. U. S. v. 4 1/3 Dozen Bottles of Dr. Livingston's Regenerator. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25911. I. S. No. 14485. S. No. 4118.)

Examination of a drug product, known as Dr. Livingston's Regenerator, from the shipment herein described having shown that it was represented as conforming with the food and drugs act, whereas it did not, and that the bottle and carton labels and accompanying circular and booklet contained statements claiming that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Florida.

On February 18, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of four and one-third dozen bottles of Dr. Livingston's Regenerator, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by the Livingston Medicine Co., from Griffin, Ga., on or about December 23, 1930, and had been transported from the State of Georgia into the State of Florida, 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 magnesium sulphate, extracts of plant drugs including a laxative drug, alcohol, water, and flavoring materials.

It was alleged in the libel that the article was misbranded in that the statement appearing on the carton, "Guaranteed to conform with all Pure Food Laws," was false and misleading, when applied to an article which was misbranded within the meaning of the Federal food and drugs act. Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article were false and fraudulent,

since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label) "Nerve Tonic & Blood Purifier. It purifies the blood and brings an end to rheumatism * * * conquered and impurities driven from the system. Regenerator;" (carton) "Regenerator. Repairs Waste Tissue, Builds up the System, Purifies the Blood * * * for the Liver. When you cannot sleep, and feel weak from overwork and other causes, take this Regenerator. It will strengthen your nerves, * * * and restore your health. As a regulator for the liver * * * For Nervous and General Debility. Weak Kidneys, Lame Back. Liver Complaint * * * Rheumatism and All Impurities of the Blood of Long Standing. It is a Tonic and Strength Builder. * * * For the troubles peculiar to women * * * Nursing mothers are especially benefited by its use. * * * New Liver and Kidney Medicine * * * and drives impurities from the system. By its use the blood is purified and rheumatism ended. Stimulants are unnecessary, as it brings vim and life to the body. It may be taken freely by young and old. * * * Restoring the Freshness and Brilliancy of Youth. It paints the bloom of a rose in the face, for it brings new health and life to the body. * * * cause a purified and enriched supply of blood, and spots and eruptions are banished;" (booklet) "Regenerator * * * Nerve Tonic and Blood Purifier * * * Regenerator supplies the necessary nourishment for your blood, giving it strength and vitality—it stimulates the growth and reproduction of cells and tissues, enabling the enriched blood and stronger cell life to throw off accumulated poisons, impurities and waste and regenerating a healthy condition throughout the system. Kidney and Bladder Troubles * * * The Blood * * * Liver Complaint * * * The Nerves * * * Female Troubles * * * You Need Help Today Because—those shooting pains and sore joints indicate the appearance of Rheumatism.—that bilious and 'headachy' feeling proves a stagnant liver.—those Pimples, Boils, Ulcers and Skin Blemishes show that the Blood needs purifying.—that 'tired feeling,' wakeful nights, lack of energy and 'pep' are results of an undernourished system.—those spells of Indigestion lead to more serious complaints. * * * that Lame Back points to inactive Kidneys.—the 'after-effects' of 'flu' need to be checked. * * * You Need Dr. Livingston's Regenerator The Great Nerve Tonic and Blood Purifier. Do You Know—that whether you are on crutches with Rheumatism; suffering from Kidney and Bladder Troubles; threatened with Brights' Disease; Uric Acid Poisoning; High Blood Pressure, etc.—whether it is a Nervous Breakdown, Sleeplessness or Staggering Spells—Regenerator will prove its wonderful merit in bringing relief.—that it may be from Bilious Headache, Loss of Appetite, Dizziness or other general complaints due to a Sluggish Liver, you are suffering. In any case Regenerator stands ready to prove its wonderful aid in removing these troubles and restoring you to normal health.—that if your troubles are deep-seated Blood Afflictions—Eczema, Boils, Skin Disease, Ulcers, Abscesses or other troubles of long standing, arising from impurities in the blood, by taking Regenerator you will be astonished and happy to see how quickly your troubles begin to disappear. 'Four bottles of Regenerator entirely cured me of Rheumatism.' * * * Rheumatism Sufferer Says: '* * * I suffered from Rheumatism and lameness for months and was practically unable to move about without excruciating pains, * * * a friend insisted that I try Regenerator. The first bottle afforded almost immediate relief, and two bottles practically cured me.' * * * Female Trouble Sufferer Says: '* * * For five years I suffered with Female Trouble, Kidney and Bladder Trouble and Constipation. Was also troubled with the change of life, I had three different doctors, but they did me no good. My husband bought a bottle of Dr. Livingston's Regenerator and have found myself that it is worth its weight in gold. I advise all suffering women to take it.' * * * 'Flu' After Effect Sufferer Says: '* * * Kidney and Bladder Sufferer says: '* * * I have been a chronic sufferer for six years with Kidney and Bladder Trouble, Lame Back, Sick Headache, Nervous Indigestion and Dizziness. My husband coaxed me to give Regenerator a trial and I started taking it—now I hardly know how to explain my feelings and gratitude as it is wonderful what Regenerator did for me.' * * * eliminating waste through the Liver and Kidneys. * * * As a Cell Food * * * As a Tissue Builder * * * Answer the Call of Health."

On March 28, 1931, 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.*