

9202. Misbranding of Dr. Martel's Female Pills. U. S. * * * v. 11 Packages of Dr. Martel's Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13559. I. S. No. 5116-t. S. No. E-2637.)

On August 26, 1920, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11 packages of Dr. Martel's Female Pills, remaining unsold in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped by the Block Drug Co., New York, N. Y., on or about October 29, 1919, and transported from the State of New York into the State of Connecticut, 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 contents of the tablets consisted essentially of oil of savin and ferrous sulphate and carbonate.

Misbranding of the article was alleged in substance in the libel for the reason that the box label and an inclosed circular bore the following statements regarding the therapeutic and curative effects of said article, to wit, (box label) "* * * Female Pills * * * For Amenorrhoea (Suppression Of the Menses) Dysmenorrhoea (Painful Menstruation) And Similar Functional Derangements," (circular) "* * * Female Pills * * * For Disturbances of the Menstrual Functions. * * * For Amenorrhoea (Suppression of the Menses * * *) * * * treatment * * * should be continued until relief is obtained. For Dysmenorrhoea (Painful or Scanty Menstruation) * * * our medicine will be found to give lasting benefit and genuine relief. To prevent difficult, painful, over-profuse and other morbid menstrual conditions, and keep this important function normal, take * * * for a few days before the expected reappearance of the menstrual flow," which statements were false, fraudulent, and misleading, and were applied to said article so as to represent falsely and fraudulently to purchasers thereof, and create in the minds of purchasers thereof the impression and belief that the article was composed of, or contained, ingredients or medicinal agents effective as a remedy for certain diseases, to wit, dysmenorrhea, amenorrhea, etc., when, in truth and in fact, it did not contain ingredients effective for the purposes named.

On October 26, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

9203. Misbranding of Hooper's Female Pills. U. S. * * * v. 1 Dozen and ½ Dozen Packages of Hooper's Female Pills * * *. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13588. I. S. Nos. 6320-t, 6321-t. S. No. E-2640.)

On August 26, 1920, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 dozen and ½ dozen packages of Hooper's Female Pills, remaining unsold in the original unbroken packages at Waterbury, Conn., alleging that the article had been shipped by the Horace B. Taylor Co., Philadelphia, Pa., on or about February 27, 1920, and transported from the State of Pennsylvania into the State of Connecticut, 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 pills consisted essentially of aloes and ferrous sulphate.

Misbranding of the article was alleged in substance in the libel for the reason that the circular and wrapper accompanying each of the packages of said article bore the following statements regarding its therapeutic and curative effects, to wit, (circular) "Female Pills * * * a safe and sovereign remedy in female complaints, * * * an Emmenagogue in producing Menstruation. * * * for the removal of irregularities. * * * are used * * * (except in cases of pregnancy) * * *," (wrapper) "* * * opening obstructions of the vessels * * * cure of disorders peculiarly incident to the Female Sex, * * * remedy against those general complaints the Female Sex are subject to; * * * cleanse, purify, and cause a free circulation of the blood, * * * open those obstructions which Virgins are liable to, * * * best * * * for * * * the irregularities, * * * for the palpitation of the heart, giddiness, loathing of food, bad digestion, pains of the stomach, heating of the arteries of the neck, short breath * * * scurvy * * * should be taken by all women at age of forty-five * * * to prevent those disorders which usually attend them at that time. * * * sovereign remedy * * * in all hypochondriac, hysterick, or vapourish disorders, * * * strengthen the nerves, * * * for * * * obstruction of * * * courses, * * * continue their use until the end is answered * * *," which statements were false, fraudulent, and misleading, and were applied to said article knowingly, so as to represent falsely and fraudulently and create in the minds of purchasers thereof the impression and belief that the article was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective as a remedy for female complaints, palpitation of the heart, giddiness, loathing for food, bad digestion, scurvy, short breath, etc., when, in truth and in fact, it did not contain ingredients effective for the purposes named.

On October 28, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

9204. Misbranding of Palmo Tablets. U. S. * * * v. 27 Packages of Palmo Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13644. I. S. No. 3871-t. S. No. C-2479.)

On September 4, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 27 packages of Palmo Tablets, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the McCullough Drug Co., Lawrenceburg, Ind., on or about February 10, 1920, and transported from the State of Indiana into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) "* * * remedy for many Nervous Disorders * * * irritability, weakness, depression, etc. * * * for men or women who are run-down generally and who lack energy or ambition;" (circular) "* * * No one can attain * * * success * * * without an abundance of vitality or nerve force * * * excesses of the usual kind * * * may bring about this condition, * * * we have * * * reliable treatment for just such cases. * * * Palmo Tablets re-animate and re-vitalize. * * * Nervous Exhaustion or Debility, Depression or Despondency, Irritability, Fretfulness, Fidgets, Lack of Tone * * *"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of plant extractives,