

**26498. Misbranding of Kadiok. U. S. v. 100 Bottles of Kadiok. Default decree of condemnation and destruction. (F. & D. no. 37536. Sample no. 67692-B.)**

This case involved an interstate shipment of Kadiok which contained alcohol in a proportion less than that represented on the label, and a circular accompanying the article contained false and fraudulent representations regarding its curative or therapeutic effect.

On April 17, 1936, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 106 bottles of Kadiok at Wheeling, W. Va., alleging that the article had been shipped in interstate commerce on or about April 22, 1935, by the Dee Lure Medicine Co., from Columbus, Ohio, and that it was misbranded in violation of the Food and Drugs Act.

Analysis of the article showed that it consisted essentially of water, alcohol, and extracts of plant drugs including laxative plant drugs.

The article was alleged to be misbranded in that a statement "Alcohol 15%", borne on the label, was false and misleading since the article contained only 7.5 percent of alcohol. The article was alleged to be misbranded further in that statements regarding the curative or therapeutic effect of the article, contained in an accompanying circular, "Kadiok In giving you Kadiok, all of these facts have been taken into consideration resulting in the development of a pure vegetable compound, made to assist Nature in helping your system back to normal and keeping it there without the use of harmful drugs. \* \* \* They are all known to assist Nature in purifying the blood, increasing the flow of bile from the liver, exciting the gastric juices which aid in the digestion of food, acting as an appetite stimulator, and rids the body of poisons through proper elimination", falsely and fraudulently represented that the article was capable of producing the effects claimed.

On May 29, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON,  
*Acting Secretary of Agriculture.*

**26499. Misbranding of "Four Leaf Clovers." U. S. v. 35 Packages of "Four Leaf Clovers." Consent decree of condemnation and destruction. (F. & D. no. 37537. Sample no. 60696-B.)**

This case involved an interstate shipment of a quantity of an article, labeled "Four Leaf Clovers", the label and package of which and an accompanying circular, bore and contained false and misleading representations as to its antiseptic properties, and the accompanying circular contained false and fraudulent representations as to the curative or therapeutic effects of the article.

On April 7, 1936, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture filed in the district court a libel praying seizure and condemnation of 35 packages of an article, labeled "Four Leaf Clovers", at Denver, Colo., consigned by the Pilgrim Co., Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about November 7, 1934, and January 13, 1936, from Chicago, Ill., and that it was misbranded in violation of the Food and Drugs Act as amended.

Analysis of the article showed that it consisted essentially of boric acid, borax, starch, and a pink coloring matter; and bacteriological examination of the article showed that it was not antiseptic in the dilution recommended for use.

The article was alleged to be misbranded in that the following statements were false and misleading since the article was not an antiseptic when used as directed: (Bottle label) "Vaginal Antiseptic"; (carton) "Vaginal Antiseptic"; (accompanying circular) "In the field of antiseptics, Four Leaf Clovers is a product of modern scientific progress \* \* \* Prophylactic Sterilizer Germ Life, with which Four Leaf Clovers come in contact, is effectually destroyed. For perfect vaginal antiseptics, insert one tablet, slowly, well up into the vaginal tract. Hold first in warm water ten seconds, which will hasten the dissolution. This takes about two minutes. The antiseptic effect will last about one hour."

The article was alleged to be misbranded in that the following statements, contained in the circular accompanying the package, falsely and fraudulently represented that the article was capable of producing the curative or therapeutic effects claimed: "\* \* \* health \* \* \* a prophylactic \* \* \* to reach all parts that may be harboring bacteria \* \* \* eliminating the possibility

of congestion from discarded tissue \* \* \* beneficial in healing slightly \* \* \* inflamed tissues \* \* \* If there is any soreness, due to discharge, inflammation or other causes, \* \* \* Four Leaf Clovers will speedily alleviate this condition. \* \* \* Leucorrhoea Approximately ninety per cent of women suffer from Leucorrhoea, commonly known as 'Whites', at some period in life. Directly or indirectly, it is a contributing cause to practically every disease of women. Four Leaf Clovers, because of their positive antiseptic qualities, quickly aid nature in correcting this condition. \* \* \* Menopause. By many the Menopause, or Change of Life, is considered the most dangerous period of a woman's life. One can alleviate the suffering and help reduce the amount of what is commonly called 'hot flashes' by inserting one Four Leaf Clover into the vaginal tract upon retiring, \* \* \* The treatment is simple, reduces the irritation of the area, and is very beneficial. 'I have been suffering from Leucorrhoea for several years and have tried everything I could find for relief. A 30-day treatment with Four Leaf Clovers has made a new woman out of me. I am no longer nervous and I have regained my strength.'

On June 1, 1936, the Pilgrim Co., having consented to a decree, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON,

*Acting Secretary of Agriculture.*

**26500. Misbranding of Mentos. U. S. v. 262 Bottles of Mentos. Default decree of condemnation and destruction. (F. & D. no. 87538. Sample no. 67574-B.)**

This case involved an interstate shipment of Mentos the bottles of which and an accompanying circular, bore and contained false and fraudulent representations regarding its curative or therapeutic effect.

On April 4, 1936, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 262 bottles of Mentos at Atlantic City, N. J., alleging that the article had been shipped in interstate commerce on or about January 29, 1936, from Philadelphia, Pa., by Mentos Products, Inc., and that it was misbranded in violation of the Food and Drugs Act as amended.

Analysis of the article showed that it consisted essentially of sulphur, borax, ammonia, and water, with small quantities of perfume materials.

The article was alleged to be misbranded in that statements borne on the bottle labels and contained in an accompanying circular, regarding the curative or therapeutic effects of the article, falsely and fraudulently represented that the article was capable of promoting new growth of hair; was capable of stopping dandruff, falling hair, scaling scalp, eczema, ringworm, and sores; was capable of curing all scalp disorders, such as psoriasis, eczema, severe cases of dandruff, falling hair, and scaling scalp, by penetrating the hair follicles, stimulating the glands, and causing the blood to circulate freely and nourish the roots of the hair; would be effective in the treatment of baldness and loss of hair; would cure the worst cases of dandruff, eczema, and sores; would stop and prevent hair from falling out by killing germs, curing germ diseases, and medicating the glands; was capable of stopping and curing falling hair, however severe the case, and of producing a luxuriant growth of hair; would prevent and cure baldness; would keep the scalp clean of dandruff and awaken dead tissues and the roots of the hair; would restore the hair and aid in curing skin diseases; would cure and prevent dandruff, restore hair, and cure any kind of skin disease of the head, face, and body, and any kind of infection of the scalp or skin, skin eruptions, and warts.

On June 6, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON,

*Acting Secretary of Agriculture.*

**26501. Alleged misbranding of Diaplex. U. S. v. Horace Wayne Pierce and William Jess Predmore. Tried to a jury. Verdict of not guilty. (F. & D. no. 35984. Sample nos. 15449-B, 26527-B, 26528-B.)**

This case involved interstate shipments of Diaplex the packages of which bore allegedly false and fraudulent statements regarding the curative or therapeutic effect of the article with respect to diabetes.

On April 29, 1936, the grand jurors of the United States in and for the District of Colorado returned in the district court an indictment against Horace Wayne Pierce and William Jess Predmore, Denver, Colo., charging shipment by said