

4368. Misbranding of "Dr. Stuart's Specific Drops." U. S. * * * v. Joseph W. House and Anna B. House (Stuart Remedy Co.). Plea of guilty. Fine, \$50. (F. & D. No. 5987. I. S. No. 4835-h.)

On January 3, 1916, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Joseph W. House and Anna B. House, trading under the name of Stuart Remedy Co., Detroit, Mich., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about August 9, 1913, from the State of Michigan into the State of Pennsylvania, of a quantity of an article called "Dr. Stuart's Specific Drops," which were misbranded. The article was labeled: (On bottle) "Shake Well before using. Dr. Stuart's Specific Drops. Directions, For Syphilis, Blood Poison, Sores and Ulcers, begin with 5 drops, increase to 12, in a wine glass of water after each meal. Can be taken in any fluid or on lump of sugar. Directions, For Rheumatism, five drops after each meal in a wine glass of water, and before retiring. Directions, For unnatural discharges, begin with 10 drops in a wineglass of water after each meal. Increase gradually to 15 to 18 drops. Pure concentrated mixture of Blood Alteratives. Distributed by the Stuart Remedy Co., of Cleveland, Ohio, U. S. A. Contains 3 per cent. pure grain alcohol. Pure Food and Drug Serial No. 21829." (On carton) "Dr. Stuart's Specific Drops For Constitutional or Blood Diseases Trade Mark. Dr. T. H. Stuart, graduate of the Berkshire Medical College, 1844. Contains 3 per cent Pure Grain Alcohol. Guaranteed under the Food and Drugs Act, of June 30, 1906. Serial No. 21829. Manufactured by the Stuart Remedy Co., Cleveland, Ohio. This valuable Specific cleanses and clears the blood of all impurities from whatever cause they may have arisen. It aids nature by the eliminative process, and is without any injurious effects. Is guaranteed to be an excellent remedy. This package contains about two months' treatment. Price \$2.00 or Three for \$5.00. Wonderful Blood Specific After a test in army and civil practice for forty years this medicine is known to be a positive specific for Eczema, Salt Rheum and Rheumatism as also various diseases generally designated and said to be Scrofula which are too many to enumerate. A reliable remedy for Contagious Blood Poison In the Primary, Secondary, or Tertiary stages of the disease. Dr. Stuart's Specific Drops are not one of the many hackneyed and advertised 'cure-alls' of the day, but are intended for blood diseases alone, and have never failed to give relief when directions are complied with. Are the results of many years of study and experience." The circular or pamphlet accompanying the article contained, among other things, the following: "Drives all impurities out of the blood. Eczema and Rheumatism permanently cured."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the preparation was essentially a turpentine solution of camphor, alcohol, and mercuric iodid.

Misbranding of the article was alleged in the information for the reason that the following statements, regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On bottle) "For Rheumatism, five drops after each meal in a wine glass of water * * *" (On carton) "This valuable Specific cleanses and clears the blood of all impurities from whatever cause they may have arisen * * * A positive specific for Eczema, Salt Rheum and Rheumatism * * * Dr. Stuart's Specific Drops * * * intended for blood diseases alone, and have never failed to give relief when directions are complied with," and included in the circular or pamphlet aforesaid, to wit, "Drives all impurities out of the blood. Eczema and Rheumatism permanently cured," were false and fraudulent in that the same were applied

to said article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, for the cure of rheumatism, as a positive specific for eczema, salt rheum, and rheumatism, for driving all impurities out of the blood, and as a permanent cure for eczema and rheumatism, when, in truth and in fact, it was not, in whole or in part, so composed, and did not contain such ingredients or medicinal agents.

On January 11, 1916, a plea of guilty was entered on behalf of the defendants, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*