

**9705. Misbranding of Madame Dean female pills. U. S. \* \* \* v. 6 Dozen Packages and 12 Dozen Packages of \* \* \* Madame Dean Female Pills. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13469, 13577. I. S. Nos. 10116-t, 10121-t. S. Nos. W-698, W-725.)

On August 23 and 24, 1920, respectively, the United States attorney for the Western District of Washington, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 6 dozen and 12 dozen packages of Madame Dean female pills, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on or about April 21, 1919, and April 15, 1920, respectively, and transported from the State of Pennsylvania into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box label and wrapper) "Female Pills \* \* \* give relief in Female Disorders of the menstrual functions. \* \* \* for Painful, Irregular and Scanty Menstruation"; (booklet) "\* \* \* irregular, prolonged, or suppressed menstruation. \* \* \* Female Pills afford relief for these ailments. \* \* \* A remedy intended solely for the relief of Amenorrhoea, Dysmenorrhoea, scanty and irregular menstruation, and other derangements of the reproductive system. \* \* \* especially valuable in the functional changes \* \* \* of the menopause or change of life. \* \* \* act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation, and assist in re-establishing or restoring, the menstrual or monthly periods. \* \* \* strengthen and build up the uterine functions"; (circular) "\* \* \* a great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel, \* \* \* for irregular, painful, scanty or suppressed menstruations. \* \* \* should be taken \* \* \* to assist nature with \* \* \* disorders \* \* \* during the change of life period. \* \* \* Continue with the treatment until they give relief. \* \* \* great relief from Pains or Headache; \* \* \* for suppressed Menstruation, \* \* \* continue their use until relieved \* \* \* take \* \* \* until the menstrual flow commences again."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of quinine, aloes, ferrous sulphate, hydrastis, ginger, and cornstarch.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements appearing in the labeling, regarding the curative and therapeutic effects thereof, were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 29, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9706. Misbranding of Madame Dean female pills. U. S. \* \* \* v. 11 Packages of Madame Dean Female Pills. Default decree ordering the destruction of the product.** (F. & D. No. 13675. I. S. No. 8947-t. S. No. E-2741.)

On September 17, 1920, the United States attorney for the Eastern District of Virginia, 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 Madame Dean female pills, remaining in the original unbroken packages at Norfolk, Va., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on or about December 9, 1919, and transported from the State of Pennsylvania into the State of Virginia, 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 quinine, aloes, ferrous sulphate, senecio flowers and herb, ginger root, and cornstarch.

Misbranding of the article was alleged in substance in the libel for the reason that the box label, wrapper, booklet, and circulars accompanying the said article bore the following statements regarding the curative and therapeutic effect thereof, (box label and wrapper) "Female Pills \* \* \* give relief in Female Disorders of the menstrual functions. \* \* \* for Painful, Irregular and Scanty Menstruation," (booklet) "\* \* \* irregular, prolonged, or suppressed menstruation. \* \* \* Female Pills afford relief for these ailments. \* \* \* a remedy intended solely for the relief of Amenorrhoea, Dysmenorrhoea, scanty and irregular menstruation, and other derangements of the reproductive system, \* \* \* especially valuable in the functional changes \* \* \* of the menopause or change of life. \* \* \* act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation, and assist in reestablishing or restoring, the menstrual or monthly periods. \* \* \* strengthen and build up the uterine function," (circular) "\* \* \* a great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel, \* \* \* for irregular, painful, scanty or suppressed menstruations, \* \* \* should be taken \* \* \* to assist nature with \* \* \* disorders \* \* \* during the change of life period. \* \* \* Continue with the treatment until they give relief. \* \* \* great relief from Pains or Headache; \* \* \* for suppressed Menstruation, \* \* \* continue their use until relieved \* \* \* take \* \* \* until the menstrual flow commences again \* \* \*" which statements were false and fraudulent in that the said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On September 9, 1921, no claimant having appeared for the property, judgment of the court was entered ordering the destruction of the product by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9707. Misbranding of M. I. S. T. No. 2 nerve tonic. U. S. \* \* \* v. 12 Dozen Packages \* \* \* of M. I. S. T. No. 2 Nerve Tonic. Decree of condemnation and forfeiture permitting product to be released under bond. (F. & D. No. 13821. I. S. No. 10385-t. S. No. W-783.)**

On October 28, 1920, the United States attorney for the Southern District of California, 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 12 dozen packages, each containing 30 capsules, of M. I. S. T. No. 2 nerve tonic, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the M. I. S. T. Co., Toledo, Ohio, on or about August 10, August 17, and September 30, 1920, respectively, and transported from the State of Ohio into the State of California, 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 capsules consisted essentially of aloes, calomel, a laxative plant drug, and a small amount of methyl salicylate.