

**10582. Misbranding of Dr. Cheeseman's female regulating pills. U. S. \* \* \* v. 10 Packages of \* \* \* Dr. Cheeseman's Female Regulating Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13862. I. S. No. 10480-t. S. No. W-791.)**

On November 12, 1920, the United States attorney for the Northern 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, and on November 18, 1920, an amended libel, praying the seizure and condemnation of 10 packages of Dr. Cheeseman's female regulating pills, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by E. J. Barry, from New York, N. Y., on or about May 18, 1918, and transported from the State of New York 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 pills contained aloes and iron sulphate.

It was alleged in substance in the libel that the article was misbranded in that it was labeled in part on the carton and in the accompanying circulars, as follows, (carton) "**\* \* \* Female Regulating Pills \* \* \***," (small circular) (English and German) "**\* \* \* Female Regulating Pills. In case of Obstruction of long standing, \* \* \* continue \* \* \* until a cure is effected. \* \* \* In recent cases of Obstruction, \* \* \* commence by two of these pills at night upon going to bed, continuing them until their end is answered. \* \* \* When Obstruction is apprehended, \* \* \* seldom fails of restoring nature to its proper channel. In cases of Impotence or Barrenness, Seminal Weakness, Gleets, Whites, and all diseases arising from a relaxed state of the genital organs, whether the result of disease, injuries or consequences of youthful indiscretion, or indulgence of the passions in riper years, they are equally beneficial. \* \* \* A little perseverance in their use seldom fails of effecting a perfect restoration to health. \* \* \* obstinate cases of Obstruction. \* \* \*,"** (large circular) "**\* \* \* for the miseries endured by those of our female friends who cannot enjoy the benefits of regularity. A specific was wanting to cover this ground, and it was found by Dr. C. L. Cheeseman, \* \* \* his famous pills for females. \* \* \* possess all the safe and certain powers requisite to allay all sufferings connected with the womb and its dependencies, and that it will, if used strictly according to his directions, conquer every disease incidental to the life of every female—whether married or single—whether she has just emerged from her cradle, is a wife or a widow, or is ready to step into a grave on account of old age. \* \* \* a specific remedy, and \* \* \* they are the only certain curative known to the world. \* \* \* Dr. Cheeseman's pills are designed to check and do away with irregularities. From obstructions of the monthly function a host of the most harrowing troubles arise, not the least of which are constant nausea during the severest period of the infliction, headache of a violent type, extreme and tormenting nervousness, a tendency to apoplexy, increase of bile beyond the natural volume, hysteria, racking pains, giddiness, uncertain state of the urine, corrugated skin, sallow and repulsive complexion, furred tongue and fetid breath, varicose veins, general debility, loss of the hair, decay and aching of the teeth, glandular swellings, spasms, fits, etc., etc. These are but a tithe of the miseries irregularities in the operations of the monthly period are sure to produce in the systems of either the married or the single. There are some who are always afflicted by too heavy a menstrual flow. These persons are always in extreme danger. If these irregularities—whether manifested by obstruction or overflow—are the results of accidental circumstances, or the consequences of constitutional discrepancies or misfortunes—if they are hereditary or of recent date—the ultimate consequences are equally disastrous. The pills of Dr. Cheeseman have always cured every case to which they have been applied. They have never been administered, even where the directions have not been faithfully followed, without at once producing a marked change for the better, and they have invariably triumphed, notwithstanding the extremest obstinacy of the affliction. \* \* \* His pills are designed for the obviation of the fatal consequences (either direct or remote) of the suppression, or too great activity of menstruation. They are meant to be the sure guide to Menstrual Regularity. With this, a woman, whether young or old, married or single, can always be positive of the possession of sound general health, and can laugh to scorn the ailments to which ignorant and indolent invalids chain themselves, like Ixion to the wheel, or Prometheus to the rock. Procure regularity, and you have, ladies, good health in all its delightful phases. Irregularity of the monthly**

period is a disease more destructive of the health, happiness and beauty of the female than any other. If it leads to the whites, you suffer everything a little short of death, and eventually it comes to that. \* \* \* Dr. C. L. Cheeseman's pills for females have so often eradicated this dreadful scourge in a few days, and so many records exist of their infallibility in that particular, that it seems nearly useless to proclaim the news. \* \* \* Dr. Cheeseman's pills \* \* \* restore the female to complete health \* \* \* 'Dr. Cheeseman's Pills for Females' are designed as a panacea \* \* \* After having been cured by a limited course of these pills, it is the easiest thing possible to keep regular. It is then that one or two of the pills will destroy the slightest tendency to a return of the old symptoms. Annexed are a few jottings expressive of the good these pills have done with the severest and most desperate cases of illness arising from a disorganization of the procreative organs and dependent functions in females. A lady in New Orleans, aged 31, had been afflicted with occasional obstructions for more than 12 years. \* \* \* Three boxes of C. L. Cheeseman's pills restored her to health \* \* \* 'All my acquaintances are more or less afflicted by those obstructions which form the curse of both married and single life. I have recently been troubled in the same way. My acquaintances said that your pills formed the only medicine which could cure me. \* \* \*' ' \* \* \* nothing \* \* \* equal to Dr. Cheeseman's pills, \* \* \* They are \* \* \* Efficient. \* \* \*' Two ladies in Detroit, Michigan, \* \* \* were constitutionally afflicted by obstructions. \* \* \* Dr. Cheeseman's pills cured them, \* \* \* irregularity \* \* \* Cured in six weeks. \* \* \* A girl \* \* \* was treated four years for epilepsy. An aunt \* \* \* discovered that the reason of her having epilepsy was obstruction. \* \* \* She recommended the use of his pills. \* \* \* The girl has never had an attack since. \* \* \* A widow lady of Montreal, Canada, was reduced to the verge of the grave by a total stoppage of the period. \* \* \* The first box cured her. \* \* \* induce with certainty periodical regularity. \* \* \*," which statements appearing on the said carton and in the said circulars were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On May 9, 1921, 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.

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

**10583. Adulteration and misbranding of catsup. U. S. \* \* \* v. 993 Cases of Catsup \* \* \*. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14831. I. S. Nos. 4183-t, 4187-t. S. No. C-2902.)**

On May 11, 1921, the United States attorney for the Eastern District of Wisconsin, 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 993 cases of tomato catsup, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by Thomas Page, Albion, N. Y., December 20, 1920, and transported from the State of New York into the State of Wisconsin, and charging adulteration and misbranding in violation of the Food and Drugs Act. A portion of the article was labeled in part: "Page Brand Tomato Catsup, Net Weight 10 Oz. Avd. \* \* \* Packed By Thomas Page, Albion, N. Y. \* \* \*." The remainder of the article was labeled in part: "Royal Kitchen Brand Tomato Catsup \* \* \*." The latter also contained the statement, "Contents 8 Oz.," with rubber stamp impression "10 Oz." placed over it.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, or putrid vegetable substance.

Misbranding of the product labeled "Royal Kitchen Brand" was alleged for the reason that it was [food] in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 20, 1921, 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.

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