

# United States Department of Agriculture

FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

## NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16251-16275

[Approved by the Secretary of Agriculture, Washington, D. C., October 2, 1929]

**16251. Misbranding of Allenrhu. U. S. v. 34 Bottles of Allenrhu. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23344. S. No. 1469.)**

On January 28, 1929, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 34 bottles of Allenrhu, remaining in the original unbroken packages at Portland, Me., alleging that the article had been shipped from Boston, Mass., into the State of Maine, on or about May 16, 1928, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of sodium phosphate and sodium sulphate, small amounts of sodium salicylate and colchicine, free acid, glycerin, and water, flavored with licorice and methyl salicylate.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (bottle label) "For Rheumatic Aches and Pains When Not Due to Infection. Has Been Found Helpful in Lumbago, Sciatica, Neuralgia, and Neuritis," (blown in bottle) "For Rheumatic Aches and Pains," (carton, English and foreign languages) "An Advanced and Improved Preparation For the Treatment of Acute Rheumatism, Lumbago, Rheumatic Neuritis," (circular) "When you want to get rid of Rheumatism (not caused by infection) \* \* \* Allenrhu will help you correct this \* \* \*. Is your rheumatism caused by infection? The man or woman who has acute rheumatism is the person most concerned with getting rid of it. How to get rid of the pain, the swelling, the inflammation, the agony, and how to prevent its returning after it is apparently conquered is what the sufferer wants to know. There are a few common sense, very simple rules to follow if rheumatism is to be driven out of the system. If these rules are followed when Allenrhu is being taken, the chances of overcoming this trouble in a shorter period of time is enhanced. Allenrhu is a medicine compounded in such a manner that experience of years shows that it has a helpful influence over acute rheumatism \* \* \*. Many rheumatic sufferers are sad and depressed and it is hard to blame them for it \* \* \*. It isn't absolutely necessary to follow these rules when taking Allenrhu and very few people do follow them but right living helps, as every doctor will tell you, and if you can shorten the duration of the attack by doing all you can to help, it is, of course, for your own good \* \* \*. As a general rule, Allenrhu (liquid) will be found sufficient for all ordinary cases of acute Rheumatism," (mouth of bottle label) "For Rheumatic Aches and Pains," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof, and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On March 29, 1929, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*