

**18512. Misbranding of Dr. Edwards' compound dandelion tablets. U. S. v. 2¾ Dozen Boxes of Dr. Edwards' Compound Dandelion Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26308. I. S. No. 16059. S. No. 4615.)**

Examination of a drug product, known as Dr. Edward's compound dandelion tablets, from the shipment herein described having shown that the circular accompanying the article bore statements representing that it possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the district of Maryland.

On May 4, 1931, the United States attorney filed in the district court of the United States for the district aforesaid a libel praying seizure and condemnation of 2¾ dozen boxes of Dr. Edwards' compound dandelion tablets, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Relief Laboratory (Inc.), from Newburgh, N. Y., on or about March 10, 1931, and had been transported from the State of New York into the State of Maryland, 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 the tablets contained extracts of plant drugs including cathartics such as aloë and jalap resin.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the carton and in the circular accompanying the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Circular) "Dandelion Purifies the Blood, Purifies the Breath, Disinfects and Purifies the Entire Alimentary Canal by Action on Stomach, Liver and Kidneys. Rheumatism. Rheumatism for the most part attacks the sinews and muscles of the body. Therefore the joints, the muscle casings and heart valves suffer most. Like gout this disease is caused by an excess of uric acid or blood poison in the system. Rheumatic pains sometime change their location; wander from one part of the body to another, and visit various joints in succession. One of the first steps in the treatment of this disease is a thorough cleansing of the alimentary canal, which is readily accomplished by \* \* \* Comp. Dandelion Tablets and Pills. \* \* \* If the bowels are clogged and the liver inactive, the sure result is foul breath, biliousness, headache, heaviness, often resulting in malaria from auto-poisoning, kidney disease, rheumatism and gout, and laying the foundation for indigestion, dyspepsia, weakness of the intestines, and occasionally resulting in that distressing and dangerous disease, appendicitis. The fundamental preventive is to keep the bowels active and in a healthy condition, so as to carry off those noxious poisons from the system, by leaving the digestive organs free to perform their functions. \* \* \* Comp. Dandelion Tablets and Pills act mildly and thoroughly on the bowels, but without griping or purging, so that they can be taken with perfect assurance of good results without the pain or unpleasantness of ordinary cathartics;" (carton) "For Rheumatism, Kidneys, Liver, Dyspepsia."

On June 13, 1931, 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.*

**18513. Adulteration and misbranding of Blackstone's tooth paste. U. S. v. 15 Dozen Tubes of Tooth Paste. Default decree of forfeiture and destruction. (F. & D. No. 25859. I. S. No. 12001. S. No. 4095.)**

Examination of the tooth paste from the shipment herein described having shown that it was represented to be antiseptic, whereas it was not, also that the tube and carton labels and the accompanying circular bore statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the district of Idaho.

On February 4, 1931, the United States attorney filed in the district court of the United States for the district aforesaid a libel praying seizure and condemnation of 15 dozen tubes of tooth paste, remaining in the original packages at Pocatello, Idaho, alleging that the article had been shipped by the Blackstone Manufacturing Co., from Newark, N. J., on or about May 4, 1928, and had

been transported from the State of New Jersey into the State of Idaho, and charging adulteration and 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 compounds of calcium, magnesium, and zinc, carbonates, glycerin, soap, and water, colored with a red dye. Bacteriological examination showed that the article was not antiseptic.

It was alleged in the libel that the article was adulterated in that it was sold under the following standard of strength, "Antiseptic," whereas the strength of the article fell below such professed standard, since it was not an antiseptic article.

Misbranding was alleged for the reason that the statement on the carton, "An antiseptic dentifrice," was false and misleading, since the article was not antiseptic. It was further alleged in the libel that the article was misbranded in violation of paragraph 3 of section 8 of the act as amended, in that the statements on the tube, carton, and circular, regarding the curative or therapeutic effects of the article (tube), "Prevents decay and hardens the gums," (carton) "It helps to stop the bleeding of the gums and hardens same," and (circular) "(Prevent pyorrhea \* \* \* to check pyorrhea and restore the gums to normalcy eat some coarse food each day such as hard dry toast and brush your teeth frequently with Blackstone's Tooth Paste," were false and misleading and deceived and misled the purchaser, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed. Paragraph 3 of section 8 of the act as amended, in the case of drugs, brings within the provisions of the law articles of drugs, the package or label of which bears or contains any statement, design, or device, regarding the curative or therapeutic effect of the article, or any ingredient or substance contained therein which is false and fraudulent. The above-quoted curative and therapeutic claims from the labeling were deemed by this department to be false and fraudulent, and such charge was recommended to the United States attorney.

On June 29, 1931, no claim having appeared for the property, judgment of 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.*

**18514. Misbranding of Red Pills. U. S. v. 8 Bottles of Red Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26125. I. S. No. 26588. S. No. 4378.)**

Examination of a drug product, known as Red Pills, from the shipment herein described having shown that the bottle and carton labels bore statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the eastern district of Wisconsin.

On March 28, 1931, the United States attorney filed in the district court of the United States for the district aforesaid a libel praying seizure and condemnation of eight bottles of the said Red Pills, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by the Joseph Triner Co., Chicago, Ill., on or about October 13, 1930, and had been transported from the State of Illinois into the State of Wisconsin, 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 of extracts of laxative plant drugs including aloe, strychnine, and ginger oleoresin.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the carton and bottle labels, regarding the curative or therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "Recommended in \* \* \* Jaundice, Coughs and \* \* \* Female Troubles, Rheumatism;" (bottle) "Indicated in \* \* \* Indigestion, Jaundice."

On May 13, 1931, 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.*