

IN THE MATTER OF
GREAT BRITAIN SPIRITUALIST CHURCH, AND MRS.
CHARLES P. COLBERT, VIRGIL L. ECKRIDGE, MARY
HOPKINS, DELMAR WILLIAM WHITE, AND FANNIE H.
ECKRIDGE

COMPLAINT, FINDINGS, AND ORDER IN REGARD TO THE ALLEGED VIOLATION
OF SEC. 5 OF AN ACT OF CONGRESS APPROVED SEPT. 26, 1914

Docket 3474. Complaint, July 8, 1938—Decision, Sept. 7, 1939

Where a corporation and four individuals, officers, and members thereof and in charge of its affairs, and, acting in cooperation with one another, engaged in sale and distribution of so-called holy oils, books, tracts, talismans, charms, soap, perfumes, and other similar products, to purchasers in various other States and in the District of Columbia, in competition with others engaged in sale and distribution of soaps, oils, perfumes, tracts, guides and similar products in commerce as aforesaid;

In advertising their said products in newspapers published in many cities, in which reader was informed that advertiser had "good news" for him which would "solve all problems," and in letters and pamphlets descriptive of the nature of their work, items and prices sent to those replying, and through catalogs dealing with particular items offered, and purporting to deal, among other things, with "Rare Oils, Incense and Perfume from India and Africa"—

- (a) Represented, directly and through inference, that the products described and offered were made from substances imported from Africa and India, and that said products were possible because of revelations made manifest to them by some mystic power which had revealed the secrets of nature; and
- (b) Represented that there was being conveyed to the purchaser the power to cure sickness or induce health, wealth, happiness, and love, and that the articles themselves possessed magical influences and power due to asserted origin of ingredients thereof in jungles of Africa and India;

Facts being they did not operate a factory or laboratory in which any of their said products were made or produced, all of said products were purchased in the American city in which was located their principal office and place of business, and said various products, as above set forth, did not find their source or origin in India or in tribes of India, or with African tribes or in said countries, or have any such qualities as attributed thereto, and were not made by secret process or with mystic power to ward off evil spirits, have lucky effect on dice, etc.

With effect of misleading and deceiving substantial portion of purchasing public into erroneous and mistaken belief that all said representations were true, and with result, as consequence of such erroneous belief, that number of consuming public purchased substantial volume of their said products and trade was diverted unfairly to them from competitors engaged in sale and distribution of soaps, perfumes, oils and similar products as aforesaid:

Held, That such acts and practices, under the circumstances set forth, were all to the prejudice of the public and competitors, and constituted unfair methods of competition.

Before *Mr. Arthur F. Thomas*, trial examiner.

Mr. Carrel F. Rhodes and *Mr. R. A. McOuat* for the Commission.

Cobb, Howard & Hayes, of Washington, D. C., for respondents.

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act and by virtue of the authority vested in it by said act, the Federal Trade Commission having reason to believe that Great Britain Spiritualist Church, a corporation, and Mrs. Charles P. Colbert, Virgil L. Eckridge, Mary Hopkins, Delmar William White, individually and as officers, directors, and agents of said corporation, and Fannie H. Eckridge, an individual, hereinafter referred to as respondents, have violated the provisions of said act, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, hereby issues its complaint stating its charges in that respect as follows:

PARAGRAPH 1. Respondent, Great Britain Spiritualist Church, is a corporation for profit organized, existing, and doing business under and by virtue of the laws of the State of Michigan, with its offices and principal place of business located at 545 Owen Avenue, Detroit, Mich. Respondents, Mrs. Charles P. Colbert, Virgil L. Eckridge, Mary Hopkins, and Delmar William White are officers, directors, and agents of said corporation. Respondent, Fannie H. Eckridge, is an individual closely associated and connected with said respondent corporation and said respondent individuals.

Said respondents act and have acted together, and in cooperation with each other in carrying out the acts, practices, and methods hereinafter alleged.

PAR. 2. Respondent corporation, Great Britain Spiritualist Church, and respondent individuals Mrs. Charles P. Colbert, Virgil L. Eckridge, Mary Hopkins, Delmar William White, and Fannie H. Eckridge have been for more than 1 year last past and are now engaged in the business of selling and distributing books, pamphlets, tracts, guides, courses of instruction, astrological forecasts, talismans, charms, soap, perfumes, oils, and similar products. Said respondents cause and have caused their said products when sold, to be transported from their principal place of business in Detroit, Mich., to purchasers thereof located at points in the various States of the

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United States other than the aforesaid State of Michigan and in the District of Columbia.

Respondents maintain, and at all times herein mentioned have maintained a course of trade in said products so sold and distributed by said respondents in commerce between and among the various States of the United States and in the District of Columbia.

In the course and conduct of their said business, respondents are and have been in active and substantial competition with corporations, partnerships, and individuals likewise engaged in the sale and distribution of books, pamphlets, tracts, guides, courses of instruction, astrological forecasts, talismans, charms, soaps, perfumes, oils, and like products.

PAR. 3. In the course and conduct of said business, respondents, for the purpose of inducing the purchase of their said books, pamphlets, tracts, guides, courses of instruction, astrological forecasts, talismans, charms, soaps, perfumes, oils, and similar products offered for sale and sold by them, have published and circulated to prospective customers throughout the United States and in the District of Columbia, by mail, newspaper advertisements, advertising folders, pamphlets, circulars, letters, and other literature containing false and misleading statements and representations. Among such false and misleading statements and representations are the following:

I am in possession of the most wonderful panacea for health, success and happiness in the world today. This method was revealed to me, and to make a profit on it would be unjust. Therefore, I am offering it to you and my many clients at a small cost of only \$2.75.

You have been so kind to me and started me on the road to health and success. My husband has received a job and will start tomorrow.

Since you accepted my case I have been called here to pastor a church, in which I feel that your working for me played a great part and I trust you will not cease until I am a complete success.

If my system fails, don't ever expect to be happy!

Many of your neighbors have already learned how to control this new source of power. They are getting What They Want. Sick folks are getting well; the discouraged are beginning to fight again, the lonesome and love-hungry are finding welcoming arms and responsive hearts. Older folks are renewing life and securing their desires. Women, farmers and home-folks are discovering that the big thrills of life are theirs too. The ambitious are absolutely amazed at their success. Salesmen are doubling their sales. Executives are suddenly mastering their problems and business owners are starting amazing profits. Folks are suddenly getting what they have longed for, be it the solution of a domestic problem, a new position, an increase in salary, or even a specific material, such as an automobile. What is the explanation?

Now as soon as I receive your Money Order for \$2.00 I shall immediately send you, by return mail, just what has before made so many successful, with full instructions how to use it. Remember, regardless of what I send you now, I must concentrate with you daily. Your friends are using it Now.

I will work with you personally.

* * * I shall give your work my Personal attention. The price \$21.50. Now I don't want you to pay me cash; send me \$8.00 and I shall send you everything you ask for at once * * * Yours for success. Rev. Mrs. Charles P. Colbert.

Grendeline Holy Oil.—It is said the Sibber Tribes of India used Holy Oil in all important undertakings, believing this Oil would aid them in success. Prince Sibber never believed in failure. We offer you Grendeline Holy Oil * * * Price per bottle \$1.00.

Jungles Floor Wash.—Floor Wash have been used for many many years by the tribes of Africa. They regard it as their most important weapon for fighting Evil conditions. We recommend Jungles Floor Wash for your consideration. * * * Price per bottle \$1.25.

Capo Perfume.—There have been Vampires of all nationalities. One of the most outstanding of all times was a bewitching Belle from the Jungles of Africa. Her name was Capo. Her alluring power over men is said to have been attributed to her use of rare perfumes. We offer Capo Perfume for your approval. * * * Extracted from Capo Rose * * * Price per bottle \$1.25.

If you have been worried about numbers that won't fall if you can't catch, you should send at once for the "Goddess of Numbers" * * * Price \$1.25 cents.

Pow-Wow Mojou.—We Guarantee everyone to be made with Genuine Mazuza Sealed in tin then sewed in leather. Also contains genuine parchment. Contains genuine the secret of dove blood Hells-Trom Mojou has with in the law for man to follow. It has been said by millions to be the greatest luck talisman for man to follow ever made. One will last a lifetime, made to fit right in your purse. No one will know what it is.

Why take chances, it may bring to you Health, Wealth and Happiness. Price per Mojou, \$12.50.

Now at last Dr. Colbert has purchased the secret from Mother Sibber and he alone knows this secret.

It is now believed by thousands that if they will have with them luck in all kinds of games. The big men who play games of chance in Monte Carlo would tell of how they have wished for Fox Fire Powder. Those who have it, sew it in Red Flannel Cloth and keep it with them at all times. Now it is yours.

Mintolean Mojou Lucky Oil.—Millions say it's the greatest luck oil known to mankind. Dice soaked in Mintolean over night is said to be lucky.

\$2.50 discount \$2.50.

This coupon and \$1.25 mailed to Dr. Colbert will bring to you a complete set of Ethiopia Rosarium Blessed Beads * * *.

Not only will you receive guidance and counsel for the year, but I will enclose in my master reading a complete analysis of your life as to character and vocational pursuits. YOU will learn what you are best adapted for in order to make the greatest success in life.

\$1.00 Special Offer \$1.00.

This coupon, properly filled out, and only \$1.00 entitled you to a complete \$5.00 Astrological Forecast and extensive Reading based on your date of birth.

What do you know about Miracles? Do you believe in them? They still happen! You can look the world in the face. Solve All Problems—Get What You Want and Fear No Man or Circumstances.

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Nobody is too poor—No job is too big—No burden is too heavy—No home is too unhappy to be perfected—Love affairs may be reconstructed by this scientific method of securing Peace, Happiness and Plenty.

This prayer was found on the grave of our Lord Jesus Christ in the year of our Lord 1550, and sent from the pope to the Emperor Charles as he was going to battle for his safety.

Now Comes This Free Advice.

Do you wonder why some homes are happy, never no discontentment and always lucky, peace, happiness and plenty. Thousands will say that they give this credit to Dr. Colbert's House Dressing Balls; and they will say to you, never would I be without one.

Green Dragon Liquid Soap. For Shaving or shampoo face or hands you will know for yourself why we call this Mystic Soap a secret. * * * Price per bottle \$1.25.

The aforesaid statements and representations, together with other statements and representations not herein set out, serve as representations on the part of the respondents that respondents' said books, pamphlets, tracts, guides, courses of instruction, astrological forecasts, and other literature are revelations made manifest to respondents by some mystic power, revealing the secrets of nature, and that the study and use of the information revealed therein will bestow power in the reader to produce or restore health, wealth, happiness, and good luck, and that the prices at which respondents advertise and sell said several products are special, discount or reduced prices and are not the regular prices at which said products are sold; that the respondents' said products: Grendeline Holy Oil, at the price of \$1 per bottle; Mintolean Mojou Lucky Oil, at the price of \$2 per bottle; Jungles Floor Wash, at the price of \$1.25 per bottle; Jungles Incense, at the price of \$1 per bottle; Fox Fire Powder, at the price of \$3 per box; Capo Perfume, at the price of \$1.25 per bottle; Dr. Colbert's House Dressing Balls, at the price of \$1.25 each; Ethiopia Rosarium Blessed Beads, at the price of \$1.25 per set; and Pow-Wow Mojou Talisman, at the price of \$12.50 each, possess some magic health or luck producing power and will ward off sickness and induce health, wealth, happiness, and good luck to users thereof, and that respondents' said Capo Perfume possesses some magnetic power of influence and attraction and is made from Capo roses imported from the jungles of Africa, and further, that some or all of said products are imported by respondents from India or Africa; that respondents' said Green Dragon Liquid Soap sold by respondents at the price of \$1.25 per bottle is a soap of a superior quality made from some secret process, manufactured, compounded, or made by respondents, and that it possesses some mystic influence; and that the prices at which respondents advertise and sell their said several products are special, discount, or reduced prices.

PAR. 4. In truth and in fact, respondents do not maintain or operate any factory, laboratory, or institution in which any of their said products are manufactured, compounded, or produced. Respondents' various courses of instructions as contained in said books, pamphlets, tracts, astrological forecasts, "Goddess of Numbers Guide," and other literature are not mystic spiritual revelations and do not give complete instructions in the magical, spiritual arts, and are not complete courses in educational, religious, and spiritual development, nor do they equip the purchasers and users thereof with the power to accomplish the many results claimed for them by respondents. Respondents' said products are not panaceas for health, wealth and happiness, and will not cure sickness or induce health, wealth, happiness, and luck. Respondents' said products: (a) Grendeline Holy Oil is not a product of the Sibber tribes of India, and will not assure the users thereof health, wealth, happiness, and success; (b) Mintolean Mojou Lucky Oil is not a product of African tribes or of foreign countries, and will not produce luck or have any effect on dice soaked in it; (c) Jungles Floor Wash is not a product of the jungles of Africa and does not ward off evil spirits, evil influences, and evil conditions; (d) Jungles Incense is not a product of the jungles of India, and does not hold or reveal numerology numbers, and will not produce peace, happiness, and plenty; (e) Fox Fire Powder is not a product of the Sibber tribes of India, is not manufactured from secret processes, and will not produce luck or success; (f) Capo Perfume is not made from Capo roses or imported from African jungles, and does not possess any mystical or magical influence or power; (g) Dr. Colbert's House Dressing Balls will not always produce luck, peace, happiness, and plenty, or banish discontent; (h) Ethiopia Rosarium Blessed Beads are not imported from Ethiopia and will not produce any blessing; (i) Pow-Wow Mojou Talismans are not luck producing and will not bring health, wealth and happiness to the purchasers and users thereof; (j) Green Dragon Liquid Soap is not made by respondents from a secret process and does not possess any mystic power or magical influence. The said several prices at which respondents advertise and sell said books, pamphlets, tracts, guides, courses of instruction, astrological forecasts, talismans, charms, soaps, perfumes, oils, and like products are not special, discounted, or reduced prices, but are the regular retail price at which respondents usually sell said books, pamphlets, tracts, guides, courses of instruction, astrological forecasts, talismans, charms, soaps, perfumes, oils, and like products.

PAR. 5. There are among respondents' competitors many who sell and distribute books, pamphlets, tracts, guides, courses of instruction,

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astrological forecasts, and other literature, and who manufacture, make, produce, or import and sell soaps, perfumes, oils, talismans, ornaments, and charms, who do not represent their said writings as being divine or mystical revelations, or claim that they are complete, effective courses of instruction revealing the mystic secret source of health, wealth, happiness, and luck, or who do not in any way misrepresent their writings or courses of instruction; and who do not in any way misrepresent the source, quality, nature, price, and effect of their respective products, and who do not misrepresent the terms and conditions under which their writings, courses of instruction and products are sold.

PAR. 6. Each and all of the false and misleading statements and representations made by the respondents in describing their said products as hereinabove set out, was, and is calculated to and has had, and now has, a tendency and capacity to, and does, mislead and deceive a substantial portion of the purchasing public into the erroneous and mistaken belief that all of said representations are true. As a result of this erroneous and mistaken belief, a number of the consuming public have purchased a substantial volume of respondents' said products with the result that trade has been diverted unfairly to respondents from competitors engaged in the business of selling and distributing books, pamphlets, tracts, guides, courses of instruction, astrological forecasts, talismans, charms, soaps, perfumes, oils, and similar products in said commerce who do not misrepresent the nature, quality, value and effect of their said products. As a result thereof injury has been done, and is now being done, by respondents to competitors in commerce among and between the various States of the United States and in the District of Columbia.

PAR. 7. The acts and practices of the respondents as herein alleged are all to the prejudice of the public and of respondents' competitors, and constitute unfair methods of competition in commerce within the intent and meaning of the Federal Trade Commission Act.

REPORT, FINDINGS AS TO THE FACTS, AND ORDER

Pursuant to the provisions of the Federal Trade Commission Act, the Federal Trade Commission on July 8, 1938, issued its complaint in the above-entitled proceedings, and caused the same to be served upon respondents Great Britain Spiritualist Church, Mrs. Charles P. Colbert, Virgil L. Eckridge, Mary Hopkins, and Delmar William White, charging them with the violation of the provisions of the said act. Each of said respondents entered an appearance and filed an answer to the complaint. Thereafter, to wit, on February 16,

1939, testimony and other evidence in support of the allegations of said complaint were introduced by R. A. McQuat, attorney for the Commission, before A. F. Thomas, a trial examiner of the Commission, which testimony and other evidence were duly recorded and filed in the office of the Commission. Thereafter, the proceeding regularly came on for final hearing before the Commission on the said complaint, the answer thereto, testimony and other evidence, and brief in support of the complaint, respondent not having filed brief, and oral argument not having been requested; and the Commission having duly considered the matter, and being now fully advised in the premises, finds that this proceeding is in the interest of the public, and makes this its findings as to the facts and its conclusion drawn therefrom:

FINDINGS AS TO THE FACTS

PARAGRAPH 1. The respondent Great Britain Spiritualist Church is a corporation organized and existing under and by virtue of the laws of the State of Michigan, relating to ecclesiastical corporations. It maintains its principal office and place of business activities in Detroit, Mich. Respondents Mrs. Charles P. Colbert, also named herein as Fannie H. Eckridge, Virgil L. Eckridge, Mary Hopkins, and Delmar William White, are individuals, and officers and members of said corporation, and in charge of its affairs. The individual respondents and the corporate respondent, acting in cooperation with each other, are engaged in the sale and distribution of so-called holy oils, books, tracts, talismans, charms, soap, perfumes, and other similar products. Respondents cause said products, when sold, to be transported by mail from their place of business in Detroit, Mich., to purchasers thereof, some located in the State of Michigan, and others located in various other States of the United States and the District of Columbia. There is now and has been for some time last past a course of trade and commerce by said respondents, in said products, between and among various States of the United States and the District of Columbia. In the course and conduct of their business, the respondents are in competition with other corporations, firms, and individuals likewise engaged in the sale and distribution of soaps, oils, perfumes, tracts, guides, and similar products in commerce between and among various States of the United States and in the District of Columbia.

PAR. 2. In the course and conduct of their business, and in the distribution of their products, as described in paragraph 1 hereof,

respondents cause to be published in newspapers in many and various cities in the United States the following advertisements:

Can You Keep A Secret?

I have good news for you.

Regardless of what your trouble may be, you can look the world in the face; solve all problems; get what you want and fear no man or circumstance. Your happiness and success demand that you print your name clearly and send it to Rev. Charles P. Colbert, Detroit, Mich., 545 Owen Avenue.

To those who respond to the advertisements, respondents mail various letters and pamphlets descriptive of the nature of their work and the items for sale, with prices therefor. In addition to the leaflets respondents issue and mail a catalogue of the concrete items of merchandise offered for sale, which contains statements as follows:

Rare Oils, Incense and Perfume from India and Africa.

Grendeline Holy Oil.—It is said the Sibber Tribes of India used Holy Oil in all important undertakings, believing this Oil would aid them in success. Prince Sibber never believed in failure. We offer you Grendeline Holy Oil * * * Price per bottle \$1.00.

Jungles Floor Wash.—Floor Wash have been used for many many years by the tribes of Africa. They regard it as their most important weapon for fighting Evil conditions. We recommend Jungles Floor Wash for your consideration. * * * Price per bottle \$1.25.

Capo Perfume.—There have been Vampires of all nationalities. One of the most outstanding of all times was a bewitching Belle from the Jungles of Africa. Her name was Capo. Her alluring power over men is said to have been attributed to her use of rare perfumes. We offer Capo Perfume for your approval. * * * Extracted from Capo Rose * * * Price per bottle \$1.25.

If you have been worried about numbers that won't fall, if you can't catch, you should send at once for the "Goddess of Numbers" * * * Price \$1.25 cents.

Pow-Wow Mojou.—We guarantee everyone to be made with Genuine Mazuza Sealed in tin then sewed in leather. Also contains genuine parchment. Contains genuine the secret of dove blood Hells-Trom Mojou has with in the law for man to follow. It has been said by millions to be the greatest luck talisman for man to follow ever made. One will last a lifetime, made to fit right in your purse. No one will know what it is.

Why take chances, it may bring to you Health, Wealth, and Happiness. Price per Mojou, \$12.50.

Now at last Dr. Colbert has purchased the secret from Mother Sibber and he alone knows this secret.

It is now believed by thousands that if they will keep Fox Fire Powder with them they will have with them luck in all kinds of games. The big men who play games of chance in Monte Carlo would tell of how they have wished for Fox Fire Powder. Those who have it, sew it in Red Flannel Cloth and keep it with them at all times. Now it is yours.

Mintolean Mojou Lucky Oil.—Millions say it's the greatest luck oil known to mankind. Dice soaked in Mintolean over night is said to be lucky.

Do you wonder why some homes are happy, never no discontentment and always lucky, peace, happiness and plenty. Thousands will say that they give this credit to Dr. Colbert's House Dressing Balls; and they will say to you, never would I be without one.

Green Dragon Liquid Soap.—For Shaving or shampoo face or hands you will know for yourself why we can call this Mystic Soap a secret. * * * Price per bottle \$1.25.

PAR. 3. The statements to the effect that the foregoing products are made from substances imported from Africa and India, combined with inferences drawn therefrom, serve as representations that the products are possible because of revelations made manifest to respondents by some mystic power which has revealed the secrets of nature, and that there is being conveyed to the purchaser the power to cure sickness or induce health, wealth, happiness, and love; further, said statements produce the representation that the articles themselves possess magical influences and power, due to the statement that the ingredients of respondents' products originated in the jungles of Africa and India.

PAR. 4. Respondents do not operate a factory, or laboratory in which any of the said products are manufactured or produced. All of their products are purchased in Detroit; "Grendeline Holy Oil" is not a product of the Sibber Tribe of India; "Mintolean Mojou Lucky Oil" is not a product of African tribes, and will not have any effect on dice soaked in it; "Jungles Floor Wash" is not a product of the jungles of Africa and does not ward off evil spirits; "Fox Fire Powder" is not a product of the Sibber Tribe of India, and is not made by respondents from a secret process and does not possess any mystic power. None of said products will cure sickness or induce health, wealth, happiness or love.

PAR. 5. Each and all of the false and misleading statements and representations made by the respondents in describing the said products as hereinabove set out were and are calculated to, and have had, and now have the tendency and capacity to, and do mislead and deceive a substantial portion of the purchasing public into the erroneous and mistaken belief that all of said representations are true. As a result of this erroneous belief, a number of the consuming public have purchased a substantial volume of respondents' said products with the result that trade has been diverted unfairly to respondents from competitors engaged in the business of selling and distributing soaps, perfumes, oils, and similar products.

CONCLUSION

The aforesaid acts and practices of the respondents as herein found are all to the prejudice of the public, and of competitors of respondents, and constitute an unfair method of competition in commerce within the intent and meaning of the Federal Trade Commission Act.

ORDER TO CEASE AND DESIST

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, testimony and other evidence taken before Arthur F. Thomas, an examiner of the Commission theretofore duly designated by it, in support of the allegations of said complaint and in opposition thereto, brief of counsel for the Commission in support of the complaint, respondents having waived oral argument and not having filed brief, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act.

It is ordered, That the respondent Great Britain Spiritualist Church, a corporation, and respondents Mrs. Charles P. Colbert, Virgil L. Eckridge, Mary Hopkins, and Delmar William White, individually and as officers, directors, and agents of said corporation, their representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of their various items of merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by inference, that their products or the substances from which they are made or compounded are imported from Africa or India when such is not the fact; or that said products possess any mystic or secret power of nature to cure sickness or induce health, wealth, happiness, or love, or possess any mystic influence or power due to their source of origin.

2. Representing (a) that "Grendeline Holy Oil" or "Fox Fire Powder" are products of the Sibber Tribe of India, or that "Fox Fire Powder" is made from a secret process or possesses mystic power; (b) That "Mintolean Mojou Lucky Oil" is a product of African tribes or will have a lucky effect on dice soaked in it; (c) that "Jungles Floor Wash" is a product of the jungles of Africa or will ward off evil spirits.

3. Representing in any manner that respondents manufacture, make, compound, distill, or rectify any product sold and shipped by them in commerce unless and until they own and operate or directly and absolutely control the factory or plant wherein such articles are made, manufactured, compounded, distilled, or rectified by them.

It is further ordered, That the respondents shall, within 60 days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

IN THE MATTER OF
**ZENDEJAS PRODUCTS CORPORATION, AND JOSE SILVA,
TRADING AS ZENDEJAS PRODUCTS COMPANY**

COMPLAINT, FINDINGS, AND ORDER IN REGARD TO THE ALLEGED VIOLATION
OF SEC. 5 OF AN ACT OF CONGRESS APPROVED SEPT. 26, 1914

Docket 3679. Complaint, Dec. 28, 1938—Decision, Sept. 7, 1939

Where a corporation and an individual, who was secretary and manager thereof and controlled and directed its business activities, sales policies and practices, engaged in sale and distribution of certain medical preparations designated as "Zendejas Medicine" and "Zendejas Ointment," to members of purchasing public in various States; in advertisements which they disseminated through the mails, in newspapers and periodicals of general circulation, and through circulars and other printed matter distributed in commerce among the various States, and through continuities broadcast from radio stations of extrastate audience—

- (a) Represented that said "Zendejas Medicine" contained well-known curative qualities of many plants, barks, and roots, and contributed to the purification of the blood, and was an alternative for the digestive system which promoted formation of new and healthy elements, regulated circulation of the blood, prevented blood clots, and eliminated useless and noxious elements therefrom;
- (b) Represented, as aforesaid, further, that it was a cure and remedy for all ailments for which an iodized medicine could be prescribed, and for rheumatism, through clearing blood of noxious matter, and that it was of great value in treatment of gout and arthritis, and that millions of rheumatics recommended its use;

Facts being it did not, as aforesaid claimed, contain well-known curative qualities of plants, barks, and roots, or contribute to purifying the blood, was not an alternative for general digestive system which aided said system as aforesaid claimed, did not regulate circulation of the blood or accomplish other results above set forth, and was not a cure or remedy for all ailments for which iodized medicine could be prescribed, nor for rheumatism, and was not great remedy in treatment of gout or arthritis, nor recommended by millions of rheumatics;

- (c) Represented, as aforesaid, that their said "Zendejas Ointment" was a competent and efficient treatment for, or would cure, eczema, rash, and other skin diseases, and would give immediate relief to sufferers therefrom and cause such eruptions to disappear;

Facts being it was not a competent or effective treatment for such ailments and conditions, nor of substantial therapeutic value in treatment thereof, nor remedy thereof, and would not accomplish results claimed as above set forth; and

- (d) Failed to reveal to purchasers and prospective purchasers of their preparations, in the course and conduct of their business, that indiscriminate use thereof by the uninformed might cause them to suffer irreparable and perhaps fatal injury by reason of fact that their said medicine was composed essentially of senna and potassium iodide, and danger to public in